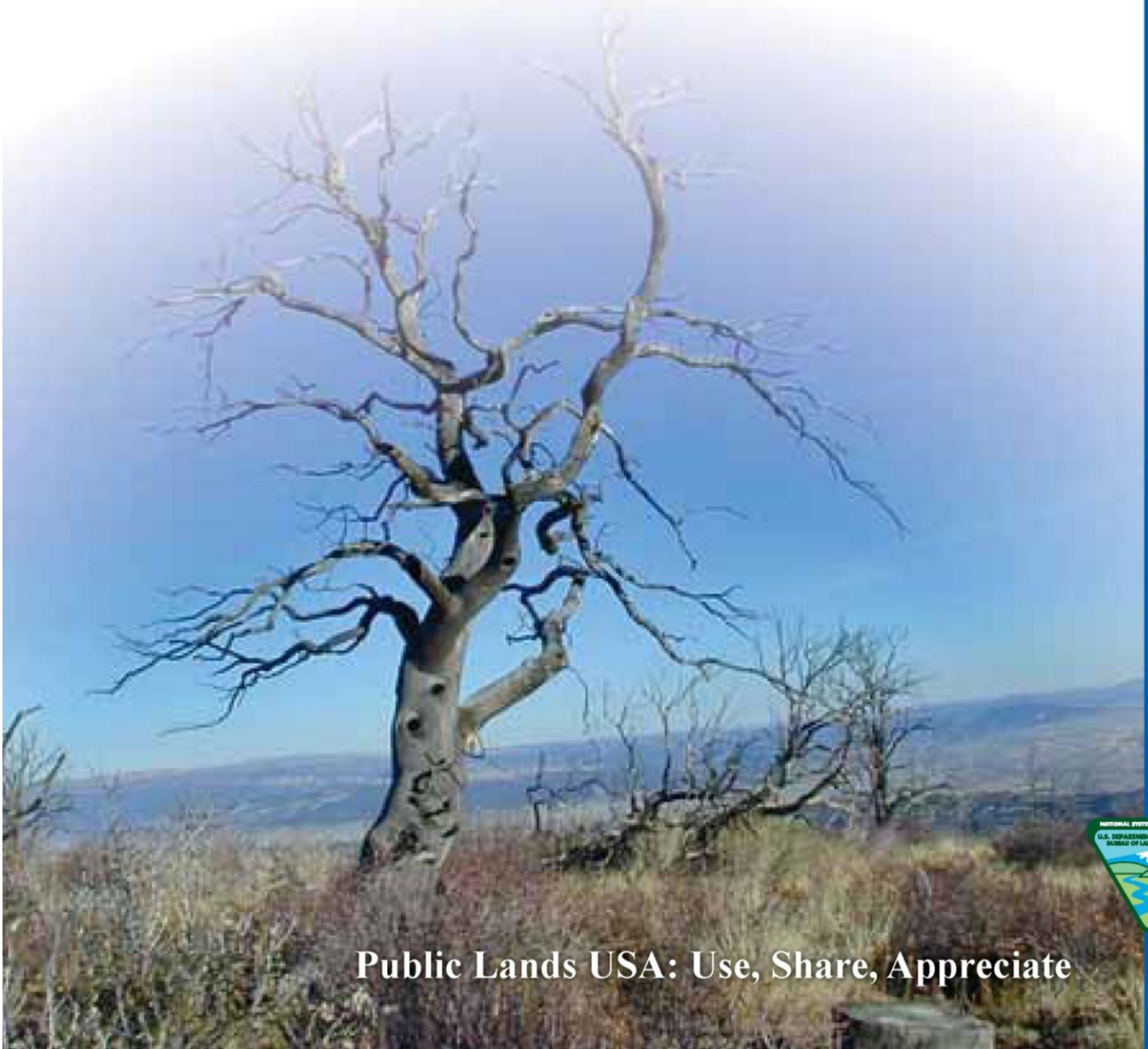


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Appendix A

# **Oil and Gas Leasing Stipulations and Lease Notices**



**Public Lands USA: Use, Share, Appreciate**



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## **1.0 Lease Stipulations and Lease Notices Applicable to Oil and Gas Development**

### **1.1 Introduction**

Appendix A contains detailed information for all of the stipulations presented as management actions in Chapter 2 (Tables 2-1 through 2-22), including the stipulation, area included in the stipulation, the purpose, and exception, modification and waiver criteria. In some cases the stipulation may be the same for more than one alternative, but may vary in the exception, modification, and waiver language. Table A-5 provides a crosswalk that matches each stipulation with the management actions in Chapter 2.

#### **1.1.1 Description of Lease Stipulations**

There are three types of stipulations that could be applied to land use authorizations: (1) no surface occupancy (NSO), (2) timing limitations (TL), and (3) controlled surface use (CSU). Although not a stipulation, lease notices (LN) are also provided in these tables. All other areas are open to oil and gas development subject to standard terms and conditions.

- **NSO:** Areas identified as NSO are open to oil and gas leasing but surface disturbing activities cannot be conducted on the surface of the land. Access to oil and gas deposits would require horizontal drilling from outside the boundaries of the NSO areas. The NSO areas are avoidance areas for rights-of-way; no rights-of-ways would be granted in NSO areas unless there are no feasible alternatives.
- **TL:** Areas identified as TL are open to oil and gas leasing but would be closed to surface disturbing activities during identified time frames. This stipulation would not apply to operation and maintenance activities, including associated vehicle travel, unless otherwise specified.
- **CSU:** Areas identified as CSU are open to oil and gas leasing but would require proposals for surface disturbing activities to be authorized only according to the controls or constraints specified.

Areas identified as LN are open to oil and gas leasing; they provide information about a resource that is present that may limit activity or cause special operational planning to occur.

Appendix A provides a series of tables that list the lease stipulations presented in the Chapter 2 tables (Tables 2-1 through 2-22, Chapter 2 of the Draft RMPA/EIS) by the resources of concern. Stipulations for addressing those concerns and the criteria for considering requests for exceptions, waivers, and modifications are shown by alternative. Where there are overlapping stipulations on the same land, the more stringent stipulation applies.

#### **1.1.2 Exceptions, Modifications, and Waivers**

Information pertaining to lease stipulations is taken from IM No. 2008-032, Exceptions, Waivers, and Modifications of Fluid Minerals Stipulations and Conditions of Approval, and Associated Rights-of-way Terms and Conditions (BLM 2008). It is important to note, the term lease “stipulation” which is used frequently in IM No. 2008-032 refers not only to lease stipulations, but can also be applied with some adaptation to Terms and Conditions and as COAs. Exceptions, waivers, and modifications provide an effective means of applying “Adaptive Management”

techniques to oil and gas leases and associated permitting activities to meet changing circumstances. The criteria for approval of exceptions, waivers, and modifications should be supported by NEPA analysis, either through the land use planning process or site-specific environmental review.

The definitions for exceptions, waivers, and modifications are as follows:

- **Exception:** Is a one-time exemption for a particular site within the leasehold; exceptions are determined on a case-by-case basis; the stipulation continues to apply to all other sites within the leasehold. An exception is a limited type of waiver.
- **Waiver:** Is a permanent exemption from a lease stipulation. The stipulation no longer applies anywhere within the leasehold.
- **Modification:** Is a change to the provisions of a lease stipulation, either temporarily or for the term of the lease. Depending on the specific modification, the stipulation may or may not apply to all sites within the leasehold to which the restrictive criteria are applied.

The RMPA serves as the vehicle for explaining to industry and the public the conditions under which exceptions, waivers, or modifications of lease stipulations may be granted. All circumstances for granting an exception, waiver, or modification must be documented in the RMPA.

The person requesting the exception, waiver, or modification is encouraged to submit information that might assist the Authorized Officer in making a decision. The Authorized Officer reviews information submitted in support of the request and other pertinent information. The Authorized Officer may modify, waive, or grant an exception to a stipulation if:

- The action is consistent with federal laws.
- The action is consistent with the RMP.
- The management objectives that led the BLM to require the lease stipulation can be met without restricting operations in the manner provided for by the stipulation given changes in the condition of the surface resources involved, or given the nature, location, timing, or design of the proposed operations.
- The action is acceptable to the Authorized Officer based on a review of the environmental consequences.

All surface disturbing activities are subject to standard terms and conditions. These include the restrictions that are required for proposed actions in order to protect special status species and to comply with the Endangered Species Act. Standard terms and conditions for oil and gas leasing provide for relocation of proposed operations up to 660 feet and provide for prohibiting surface disturbing operations for a period not to exceed 60 days.

## 2.0 No Surface Occupancy Stipulation Table

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-01</b>				
<b>Water Resources</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed in the following areas: 1) identified 100-year flood plains; 2) areas within 500 feet from perennial waters, springs, wells, and wetland/riparian areas; and 3) areas 100 feet from the inner gorge of ephemeral channels.</p> <p><u>Area:</u> The areas within 100-year floodplains comprise 22,100 acres. Areas within 500 ft of perennial waters, springs, wells, and wetland/riparian areas comprise 55,300 acres. Wetlands and ephemeral channels will be identified during site-specific analysis.</p> <p><u>Purpose:</u> To protect landscape features that are sensitive areas for water resource impacts.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the water resources identified.</p> <p><u>Modification:</u> Site specific modification may be granted by the Authorized Officer pending BLM approval of a site specific study by a qualified hydrologist or engineer that finds the areas proposed for surface occupancy would, after construction: 1) pass the 10-year peak flow event without erosion, 2) pass the 25-year peak flow without failed infrastructure, 3) pass the 50-year peak flow event without failure (when surface occupancy is planned for greater than 50 years), 4) not impede 100-year peak flow events, 5) not adversely impact springs or wells, 6) when a pipeline, utility or road crossing for a stream channel, floodplain or wetland can be shown to minimize impacts to these resources, and 7) any wetlands impacted could be restored to their original function post occupancy.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-02</b>				
<b>Landslide Areas</b>				
<p><u>Stipulation:</u> Landslide areas, as identified in USDA SCS Order III Soil Surveys, would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 38,600 acres</p> <p><u>Purpose:</u> To protect soils considered unstable and subject to slumping and mass movement.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to impair the stability of the landslide areas. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not susceptible to slumping and mass movement.</p> <p><u>Modification:</u> Site specific modifications may be granted by the Authorized Officer pending determination that a portion of the soil units meet the following conditions: 1) inclusions within the soil unit where slopes are less than 35 percent. 2) a more detailed survey identifies and delineates wet areas and sloping rock formations, and the proposed action is designed to avoid those areas. 3) the proposed action utilizes land treatments and soil stabilization practices that will demonstrate a high probability of reducing soil loss and preventing degradation of water quality, and 4) the proposed action would not cause slumping or mass movement as demonstrated through engineering and design criteria.</p> <p><u>Waiver:</u> None.</p>	X		X	

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-03</b>				
<b>Landslide Areas</b>				
<p><u>Stipulation:</u> Areas within 100 feet of landslide areas (as identified in USDA SCS Order III Soil Surveys) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 46,400 acres</p> <p><u>Purpose:</u> To protect soils considered unstable and subject to slumping and mass movement and soils within 100 feet of these soils.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to impair the stability of the landslide areas. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not susceptible to slumping and mass movement.</p> <p><u>Modification:</u> Site specific modifications may be granted by the Authorized Officer pending determination that a portion of the soil units meet the following conditions: 1) inclusions within the soil unit where slopes are less than 35 percent, 2) a more detailed survey identifies and delineates wet areas and sloping rock formations, and the proposed action is designed to avoid those areas, 3) the proposed action utilizes land treatments and soil stabilization practices that will demonstrate a high probability of reducing soil loss and preventing degradation of water quality, and 4) the proposed action would not cause slumping or mass movement as demonstrated through engineering and design criteria.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-04</b>				
<b>Landslide Areas</b>				
<p><u>Stipulation:</u> Areas within 50 feet of landslide areas, as identified in USDA SCS Order III Soil Surveys, would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 42,500 acres</p> <p><u>Purpose:</u> To protect soils considered unstable and subject to slumping and mass movement and soils within 50 feet of these soils.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to impair the stability of the landslide areas. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not susceptible to slumping and mass movement.</p> <p><u>Modification:</u> Site specific modifications may be granted by the Authorized Officer pending determination that a portion of the soil units meet the following conditions: 1) inclusions within the soil unit where slopes are less than 35 percent, 2) A more detailed survey identifies and delineates wet areas and sloping rock formations, and the proposed action is designed to avoid those areas, 3) the proposed action utilizes land treatments and soil stabilization practices that will demonstrate a high probability of reducing soil loss and preventing degradation of water quality, and 4) the proposed action would not cause slumping or mass movement as demonstrated through engineering and design criteria.</p> <p><u>Waiver:</u> None.</p>			X	



**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-05</b>				
<b>Saline Soils</b>				
<p><u>Stipulation:</u> Areas within 100 feet of saline soils (i.e., greater than 8 mmhos/cm), as identified in USDA SCS Order III Soil Surveys, with the exception of the Coal Oil Basin exemption area north of Rangely, would be open to leasing with an NSO stipulation.</p> <p><u>Area:</u> 45,300 acres</p> <p><u>Purpose:</u> To protect the productivity of saline soils and soils within 100 feet of these areas and to reduce salt and selenium loading of surface waters.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to result in any long term decrease in soil productivity or increased erosion. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not saline.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-06</b>				
<b>Saline Soils</b>				
<p><u>Stipulation:</u> Areas with saline soils (i.e., greater than 8 mmhos/cm), as identified in USDA SCS Order III Soil Surveys, with the exception of the Coal Oil Basin exemption area north of Rangely, would be open to leasing with an NSO stipulation.</p> <p><u>Area:</u> 34,100 acres</p> <p><u>Purpose:</u> To protect the productivity of saline soils and to reduce salt and selenium loading of surface waters.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not result in any long term decrease soil productivity or increased erosion. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not saline.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-07</b>				
<b>Steep Natural Slopes</b>				
<p><u>Stipulation:</u> Natural slopes greater than or equal to 35 percent (as defined by digital elevation model data) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases associated with oil and gas development in these areas.</p> <p><u>Area:</u> 353,000 acres</p> <p><u>Purpose:</u> To protect soils on natural slopes greater than or equal to 35 percent.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the stability of or productivity of the steep slopes identified.</p> <p><u>Modification:</u> Site specific modification may be granted by the Authorized Officer pending determination that a portion of the proposed surface disturbance meets the following conditions: 1) more than 75 percent of the proposed surface disturbance and infrastructure would be on stable soils that are not on natural slopes greater than or equal to 35 percent, and 2) the proposed action utilizes construction, reclamation, and design features that would stabilize the site during occupation and restore the original contours after occupation.</p> <p><u>Waiver:</u> If better elevation data indicates that there are no natural slopes greater than or equal to 35 percent anywhere within the leasehold, the stipulation no longer applies.</p>		X		
<b>NSO-08</b>				
<b>Steep Natural Slopes</b>				
<p><u>Stipulation:</u> Natural slopes greater than or equal to 50 percent (as defined by digital elevation model data) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases associated with oil and gas development in these areas.</p> <p><u>Area:</u> 114,300 acres</p> <p><u>Purpose:</u> To protect soils on natural slopes greater than or equal to 50 percent.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the stability of or productivity of the steep slopes identified.</p> <p><u>Modification:</u> Site specific modification may be granted by the Authorized Officer pending determination that a portion of the proposed surface disturbance meets the following conditions: 1) more than 75 percent of the proposed surface disturbance and infrastructure would be on stable soils that are not on natural slopes greater than or equal to 50 percent, and 2) the proposed action utilizes construction, reclamation, and design features that would stabilize the site during occupation and restore the original contours after occupation.</p> <p><u>Waiver:</u> If better elevation data indicates that there are no natural slopes greater than or equal to 50 percent anywhere within the leasehold, the stipulation no longer applies.</p>			X	X

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-9</b>				
<b>Priority Riparian/Wetland Habitats</b>				
<p><u>Stipulation</u>: Surface-disturbing activities would not be allowed in priority riparian/wetland habitats.</p> <p><u>Area</u>: 1,600 acres</p> <p><u>Purpose</u>: To maintain the proper functioning condition, including the vegetative, hydrologic, and geomorphic functionality of the riparian system and to maintain and protect water quality, stream stability, aquatic health, seasonal use, and downstream fisheries and sediment processes.</p> <p><u>Exception</u>: An exception may be granted by the Authorized Officer if an environmental analysis determines that the proposed activity would not or could be conditioned to not degrade any of the resources values identified or forestall attainment of the proper functioning condition of the riparian/wetland habitat.</p> <p><u>Modification</u>: None.</p> <p><u>Waiver</u>: None.</p>		X		
<b>NSO-10</b>				
<b>Remnant Vegetation Associations and BLM Sensitive Plant Species</b>				
<p><u>Stipulation</u>: This area contains BLM sensitive plants and remnant vegetation associations. Surface occupation will not be allowed within known populations of these plants.</p> <p><u>Area</u>: Remnant vegetation associations comprise approximately 3,600 acres. Known populations of BLM sensitive plants comprise approximately 7,200 acres (10,800 acres collectively).</p> <p><u>Purpose</u>: To conserve remnant vegetation associations and BLM sensitive plants that are not otherwise protected.</p> <p><u>Exception</u>: The Authorized Officer may grant an exception if an inventory and subsequent environmental analysis indicates that the nature or conduct of the action, as proposed and conditioned, would not directly or indirectly affect plant populations. An exception may also be applied if the NSO would hinder or preclude the exercise of valid existing rights. Under that circumstance, protection of the plants would be afforded through Conditions of Approval that would require reclamation of disturbed areas to include utilizing native seed mixes in RVAs, and reproducing sensitive species via transplant or some other means in areas containing sensitive species.</p> <p><u>Modification</u>: None.</p> <p><u>Waiver</u>: None.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-11</b>				
<b>Remnant Vegetation Associations</b>				
<p><u>Stipulation:</u> Remnant vegetation associations would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 3,600 acres</p> <p><u>Purpose:</u> To conserve significant plant communities, remnant vegetation associations, and relic communities (e.g., old growth forests and woodlands) that are not otherwise protected.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis determines that the activity would not impair values associated with the maintenance or viability of the species or communities.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the plant community has shifted; the occupied habitat of the species or community has increased or decreased; or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or viability of the species or community.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if the species or community is no longer designated as significant or relic or if the site has been unoccupied by the species or community for a minimum period of 15 years.</p>		X	X	X
<b>NSO-12</b>				
<b>Ponderosa Pine and Sagebrush RVAs</b>				
<p><u>Stipulation:</u> Identified ponderosa pine stands and unique or ecologically intact sagebrush communities would be managed as remnant vegetation associations (RVAs) with an NSO stipulation.</p> <p><u>Area:</u> 630 acres</p> <p><u>Purpose:</u> To conserve significant plant communities, remnant vegetation associations, and relic communities (e.g., old growth forests and woodlands) that are not otherwise protected.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental assessment determines that the activity would not impair values associated with the maintenance or viability of the species or communities.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the plant community has shifted; the occupied habitat of the species or community has increased or decreased; or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or viability of the species or community.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if the species or community is no longer designated as significant or relic or if the site has been unoccupied by the species or community for a minimum period of 15 years.</p>		X	X	X

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-13</b>				
<b>Oak Ridge SWA</b>				
<p><u>Stipulation</u>: This area involves federal lands within the designated perimeter of the Oak Ridge State Wildlife Area. Surface occupancy is not allowed within the designated area.</p> <p><u>Area</u>: 9,300 acres</p> <p><u>Purpose</u>: To maintain the wildlife-oriented recreational and biological values for which the Oak Ridge SWA was established.</p> <p><u>Exception</u>: The Authorized Officer may grant an exception, in consultation with Colorado Parks and Wildlife, if an environmental analysis finds that the proposed action could be conditioned to be compatible with the wildlife values and public uses associated with the area.</p> <p><u>Modification</u>: None.</p> <p><u>Waiver</u>: None.</p>	X			
<b>NSO-14</b>				
<b>State Wildlife Areas</b>				
<p><u>Stipulation</u>: Federal mineral estate within the Oak Ridge (including associated BLM lands designated in the 1997 RMP), Jensen, and Piceance Creek (all units) State Wildlife Areas would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area</u>: 18,900 acres</p> <p><u>Purpose</u>: To maintain the wildlife-oriented recreational and biological values for which the CPW property was established.</p> <p><u>Exception</u>: An exception may be granted or substituted with a timing limitation, by the Authorized Officer in coordination with CPW, if an environmental analysis determines that the action, as proposed or conditioned, would not impair the values of the SWA.</p> <p><u>Modification</u>: The no surface occupancy area may be modified in extent, by the Authorized Officer in coordination with CPW, if an environmental analysis finds that a portion of the area is nonessential to site utility or function, or that the proposed action could be conditioned so as not to impair the current or future values of the site. The stipulation may also be modified if the proponent, and CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to the SWA.</p> <p><u>Waiver</u>: This stipulation may be waived if the CPW disposes of the site.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-15</b>				
<b>State Wildlife Areas</b>				
<p><u>Stipulation:</u> Federal mineral estate within the Oak Ridge (including associated BLM lands designated in the 1997 RMP), Square S Summer Range unit of Piceance Creek, and Jensen SWAs would be open to oil and gas leasing with an NSO stipulation. On existing land use authorizations, COAs that reflect the intent of these stipulations would be applied to the extent allowable.</p> <p><u>Area:</u> 18,200 acres</p> <p><u>Purpose:</u> To maintain the wildlife-oriented recreational and biological values for which the CPW property was established.</p> <p><u>Exception:</u> An exception may be granted or substituted with a timing limitation, by the Authorized Officer in coordination with CPW, if an environmental analysis determines that the action, as proposed or conditioned, would not impair the values of the SWA.</p> <p><u>Modification:</u> The no surface occupancy area may be modified in extent, by the Authorized Officer in coordination with CPW, if an environmental analysis finds that a portion of the area is nonessential to site utility or function, or that the proposed action could be conditioned so as not to impair the current or future values of the site. The stipulation may also be modified if the proponent, and CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to the SWA.</p> <p><u>Waiver:</u> This stipulation may be waived if the CPW disposes of the site.</p>			X	
<b>NSO-16</b>				
<b>Raptor Nests – Other Than Special Status Raptors</b>				
<p><u>Stipulation:</u> This area encompasses raptor nests of other than special status raptor species. Surface occupancy is not allowed within 0.125 mile of identified nests.</p> <p><u>Area:</u> 20,900 acres</p> <p><u>Purpose:</u> To maintain the utility of the nest site and the surrounding physical and vegetation character of the habitat for current and subsequent reproductive functions.</p> <p><u>Exception:</u> An exception to the NSO may be granted by the Authorized Officer if authorization is obtained from the FWS (through applicable provisions of the Eagle Protection Act or Migratory Bird Treaty Act) to interrupt active nesting attempts and/or cause short or long term adverse modification of suitable nest site characteristics. The Authorized Officer may also grant an exception if an environmental analysis finds that the nature or conduct of the action, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy.</p> <p><u>Modification:</u> Site specific modifications to the NSO area may be granted by the Authorized Officer pending determination that a portion of the NSO area is not essential to nest site functions or utility; or that the nature or conduct of the activity, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to candidate raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective.</p> <p><u>Waiver:</u> A waiver to may be granted by the Authorized Officer if documentation shows the nest site has remained unoccupied for a minimum of 3 years; or that the site conditions, including surrounding nest habitat, have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.</p>	X			X

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-17</b>				
<b>Northern Saw-Whet, Long-Eared, and Great-Horned Owl Nests</b>				
<p><u>Stipulation</u>: Surface occupancy would not be allowed within 0.125 mile of functional nest sites of northern saw-whet, long-eared, and great-horned owls.</p> <p><u>Area</u>: 2,300 acres</p> <p><u>Purpose</u>: To maintain the utility of the nest site and the surrounding physical and vegetation character of the habitat for current and subsequent reproductive functions.</p> <p><u>Exception</u>: An exception to the NSO can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. An exception to the NSO may also be granted by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification</u>: The Authorized Officer may modify the NSO buffer distances or substitute with a timing limitation, if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver</u>: The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-18</b>				
<b>Cooper's, Sharp-Shinned, Red-Tailed, and Swainson's Hawks; Flammulated and Pygmy Owls; Northern Harrier; and Osprey Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of functional nest sites of Cooper's, sharp-shinned, red-tailed, and Swainson's hawks; flammulated and pygmy owls; northern harrier; and osprey.</p> <p><u>Area:</u> 30,000 acres</p> <p><u>Purpose:</u> To maintain the utility of the nest site and the surrounding physical and vegetation character of the habitat for current and subsequent reproductive functions.</p> <p><u>Exception:</u> An exception to the NSO can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. An exception to the NSO may also be granted by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the NSO buffer distances or substitute with a timing limitation, if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>		X		



**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-19</b>				
<b>Golden Eagle and Prairie Falcon Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.5 mile of functional nest sites of golden eagles and prairie falcons.</p> <p>Area: 60,000 acres</p> <p><u>Purpose:</u> To maintain the utility of the nest site and the surrounding physical and vegetation character of the habitat for current and subsequent reproductive functions.</p> <p><u>Exception:</u> An exception to the NSO can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. An exception to the NSO may also be granted by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the NSO buffer distances or substitute with a timing limitation, if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-20</b>				
<b>Raptor Nests – Other Than Special Status Raptors, Golden Eagle and Prairie Falcon</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.125 mile of functional nest sites of those raptors that are not considered special-status.</p> <p><u>Area:</u> 21,800 acres</p> <p><u>Purpose:</u> To maintain the utility of the nest site and the surrounding physical and vegetation character of the habitat for current and subsequent reproductive functions.</p> <p><u>Exception:</u> An exception to the NSO can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. An exception to the NSO may also be granted by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the NSO buffer distances or substitute with a timing limitation, if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>			X	

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-21</b>				
<b>Sage-Grouse Habitat</b>				
<p><u>Stipulation:</u> Surface occupancy and long-term conversion or adverse modification of the following sage-grouse habitat would be limited to 2 percent of that habitat available within a leaseholding: 1) sagebrush-dominated stands with <math>\leq 35</math> percent canopy, <math>\leq 30</math> inches in height, and <math>\leq 4</math> miles from a lek, and 2) any sagebrush-dominated stand on slopes <math>\leq 20</math> percent in defined winter use areas or stands showing evidence of winter use.</p> <p>In coordination with CPW, these areas could be refined consistent with site-specific evaluation of seasonal use functions. Reclaimed habitat that does not meet minimum functional habitat properties would be assessed against the acreage limitation. Reclamation success on sage-grouse habitats would be contingent on evidence of successful establishment of desired sagebrush forms on disturbed acreage or achieving minimum functional capacity to serve sage-grouse cover and forage needs. Reclamation assessments would consider site capability and seasonal habitat use, and may allow for surrogate (e.g. herbaceous) forms of cover, where appropriate, per Appendix A, “Structural Habitat Guidelines” from Colorado Greater Sage-grouse Conservation Plan.</p> <p><u>Area:</u> 222,300 acres</p> <p><u>Purpose:</u> To maintain the current availability of habitat suitable for occupation by greater sage-grouse.</p> <p><u>Exception:</u> An exception to this NSO would be granted by the Authorized Officer for actions that do not cumulatively contribute to adverse modifications exceeding two percent of those habitats suitable for sage-grouse that are encompassed by a proponent’s leaseholding within a GMU. An exception may be granted by the Authorized Officer if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent use by sage-grouse. An exception may also be granted if the proponent, BLM, CPW, and other appropriate regulatory entities, devise a mutually acceptable compensation or operating plan that would satisfactorily offset or reduce the anticipated loss of habitat.</p> <p><u>Modification:</u> The no surface occupancy or use area may be modified in extent by the Authorized Officer if an environmental analysis finds that: 1) a portion of the area is nonessential to site utility or function, or 2) that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent use by sage-grouse. The stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to sage-grouse habitat.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if BLM in cooperation with CPW and other appropriate regulatory entities determine that the described lands are incapable of serving the long term requirements of sage-grouse and that these ranges no longer warrant current or future consideration as components of sage-grouse habitat.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-22</b>				
<b>Sage-Grouse Leks</b>				
<p><u>Stipulation:</u> This area encompasses sage-grouse leks. Surface occupancy is not allowed within 0.25 mile of identified lek sites.</p> <p><u>Area:</u> 3,600 acres</p> <p><u>Purpose:</u> To maintain the character and utility of sites used for communal reproductive display and to help prevent the disruption of sage-grouse reproductive activity and displacement of birds from favored reproductive display sites.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities.</p> <p><u>Modification:</u> The NSO area may be modified in extent, or substituted with a timing limitation, by the Authorized Officer if an environmental analysis finds that a portion of the NSO area is nonessential to site utility or function, or that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities. The stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to sage-grouse breeding activities and/or habitats.</p> <p><u>Waiver:</u> This stipulation may be waived if, in cooperation with the CPW, it is determined that the site has been permanently abandoned or unoccupied for a minimum of 5 years; site conditions have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.</p>	X			X

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-23</b>				
<b>Sage-Grouse Leks</b>				
<p><u>Stipulation:</u> Surface occupancy and surface-disturbing and disruptive activities within 0.6 mile of active (i.e., used by displaying males in the last 5 years) and inactive (i.e., evidence of use within last 10 years) strutting grounds (i.e., leks) would be prohibited, with strict and narrowly interpreted criteria for exception or modification. If existing facilities are within 0.6 mile of such leks, alternate access routes would be devised and/or surface facilities removed to the extent practicable within 5 years of approval of the ROD.</p> <p><u>Area:</u> 17,400 acres</p> <p><u>Purpose:</u> To maintain the character and utility of sites used for communal reproductive display and to help prevent the disruption of sage-grouse reproductive activity and displacement of birds from favored reproductive display sites.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities.</p> <p><u>Modification:</u> The NSO or use area may be modified in extent, or substituted with a timing limitation, by the Authorized Officer if an environmental analysis finds: 1) that a portion of the area is nonessential to site utility or function, 2) that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities, or 3) it is determined that the site has been unoccupied for a minimum of 10 years unless the area has been identified for habitat restoration and population recovery. The stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to sage-grouse breeding activities and/or habitats.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if, in cooperation with CPW, it is determined that the lease area is no longer capable of supporting lekking activity.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-24</b>				
<b>Sharp-tailed Grouse Leks</b>				
<p><u>Stipulation:</u> Surface occupancy and surface-disturbing and disruptive activities within 0.4 mile of active (i.e., used by displaying males in the last 5 years) strutting grounds (i.e., leks) would be prohibited.</p> <p><u>Area:</u> 1 acre</p> <p><u>Purpose:</u> To maintain the character and utility of sites used for communal reproductive display and to help prevent the disruption of sharp-tailed reproductive activity and displacement of birds from favored reproductive display sites.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities.</p> <p><u>Modification:</u> The no surface occupancy or use area may be modified in extent, or substituted with a timing limitation, by the Authorized Officer if an environmental analysis finds 1) that a portion of the area is nonessential to site utility or function, 2) that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities or 3) it is determined that the site has been unoccupied for a minimum of 10 years unless the area has been identified for habitat restoration and population recovery. The stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to grouse breeding activities and/or habitats.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if, in coordination with the CPW, it is determined that the lease area is no longer capable of supporting lekking activity.</p>		X	X	X
<b>NSO-25</b>				
<b>Prairie Dog Colonies</b>				
<p><u>Stipulation:</u> Areas within 0.5 mile of active and suitable, inactive prairie dog colonies would be open to oil and gas leasing with an NSO stipulation. BLM could apply this mitigation measure to surface use activities associated with existing land use authorizations as a COA consistent with granted lease rights.</p> <p><u>Area:</u> 166,200 acres</p> <p><u>Purpose:</u> To maintain the integrity of black-footed ferret habitat and promote recovery of the species.</p> <p><u>Exception:</u> This NSO stipulation would not be applied to surface use activity in the Coal Oil Basin Exemption Area (the Rangely Oil Field).</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer, in conference with FWS, may grant a waiver to this stipulation if site conditions have changed sufficient to preclude black-footed ferret occupation of the stipulation area.</p>		X		

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-26</b>				
<b>Endangered Colorado River Fish</b>				
<p><u>Stipulation:</u> Critical or occupied habitat for federally listed fish species (e.g., 100-year flood plain of the White River below Rio Blanco Lake) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing and disruptive activities associated with all land use authorizations, permits, and leases issued on BLM-administered lands.</p> <p><u>Area:</u> 1,100 acres</p> <p><u>Purpose:</u> Confining surface disturbance and surface use activities to areas outside the flood-prone area would reduce the immediate risk of sediment and contaminant discharge into occupied riverine habitat and the compromise of physical and biological habitat features that are essential to the proper functioning condition of the aquatic systems that support federally listed fishes.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if the BLM, in consultation with the FWS, establishes that the White River's designated critical habitat is incapable of serving the long term requirements of Colorado pikeminnow and that this aquatic system no longer warrants consideration as a recovery component for the four species of endangered Colorado River fishes.</p>		X		
<b>NSO-27</b>				
<b>Endangered Colorado River Fish</b>				
<p><u>Stipulation:</u> Critical or occupied habitat for federally listed fish species (e.g., 100-year flood plain of the White River below Rio Blanco Lake) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing and disruptive activities associated with all land use authorizations, permits and leases issued on BLM-administered lands.</p> <p><u>Area:</u> 1,100 acres</p> <p><u>Purpose:</u> Confining surface disturbance and surface use activities to areas outside the flood-prone area would reduce the immediate risk of sediment and contaminant discharge into occupied riverine habitat and the compromise of physical and biological habitat features that are essential to the proper functioning condition of the aquatic systems that support federally listed fishes.</p> <p><u>Exception:</u> The Authorized Officer, in consultation with the FWS and CPW, may grant an exception to this stipulation if environmental analysis establishes that the proposed action would not adversely influence important fishery functions or compromise the integrity of constituent elements of critical habitat.</p> <p><u>Modification:</u> The Authorized Officer, in consultation with the FWS, may modify the provisions of the NSO if the proposed action can be sited, conducted, or conditioned to remain compatible with habitat protection and species recovery objectives.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if the BLM, in consultation with the FWS, establishes that the White River's designated critical habitat is incapable of serving the long term requirements of Colorado pikeminnow and that this aquatic system no longer warrants consideration as a recovery component for the four species of endangered Colorado River fishes.</p>			X	X

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-28</b>				
<b>Special Status Raptor Nests</b>				
<p><u>Stipulation:</u> This area encompasses the nests of special status raptor, including listed, proposed, or candidate species for listing under the Endangered Species Act and BLM sensitive species. Surface occupancy is not allowed within 0.25 mile of identified nests.</p> <p><u>Area:</u> 10,700 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to interrupt active nesting attempts and/or cause short or long term adverse modification of suitable nest site characteristics. An exception may also be granted by the Authorized Officer if it is determined that the nature or conduct of the proposed or conditioned activity would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy.</p> <p><u>Modification:</u> Site specific modifications to the NSO area may be granted by the Authorized Officer pending determination that a portion of the NSO area is not essential to nest site functions or utility; or that the nature or conduct of the activity, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If a species status is downgraded, or delisted, the NSO buffer area may be modified to an appropriate level.</p> <p><u>Waiver:</u> A waiver may be granted if the species becomes extinct or if the site conditions change such that there is no reasonable likelihood of occupation for a subsequent minimum period of 10 years.</p>	X			
<b>NSO-29</b>				
<b>Bald Eagle, Ferruginous Hawk, Peregrine Falcon, and Northern Goshawk Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.5 mile of functional nests of bald eagle, ferruginous hawk, peregrine falcon, and northern goshawk.</p> <p><u>Area:</u> 10,700 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity.</p>		X		



Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-30</b>				
<b>Burrowing Owl Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of functional nests of burrowing owls.</p> <p><u>Area:</u> 5,000 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity.</p>		X		
<b>NSO-31</b>				
<b>Special Status Raptor, Golden eagle, and Prairie Falcon Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of functional nests of federal endangered, threatened, proposed, and candidate raptor species; Colorado state endangered, threatened, and special-status raptor species; BLM sensitive raptor species; golden eagles, and prairie falcons.</p> <p><u>Area:</u> 10,700 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of the nest for current or subsequent nesting activity or occupancy. Section 7 consultation procedures would be instituted in those instances where an exception is being considered that involves a federally listed or proposed species.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation buffer distances or substitute with a timing limitation if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, FWS, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of five years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period. Section 7 consultation procedures would be instituted in those instances where a modification is being considered that involves a federally listed or proposed species.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity. Section 7 consultation procedures would be instituted in those instances where a waiver is being considered that involves a federally listed or proposed species.</p>			X	

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-32</b>				
<b>Special Status Raptor Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of functional nests of federal endangered, threatened, proposed, and candidate raptor species; Colorado state endangered, threatened, and special-status raptor species; or BLM sensitive raptor species.</p> <p><u>Area:</u> 10,700 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to interrupt active nesting attempts and/or cause short or long term adverse modification of suitable nest site characteristics. An exception may also be granted by the Authorized Officer if it is determined that the nature or conduct of the proposed or conditioned activity would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. Section 7 consultation procedures would be instituted in those instances where an exception is being considered that involves a federally listed or proposed species.</p> <p><u>Modification:</u> Site specific modifications to the NSO area may be granted by the Authorized Officer pending determination that a portion of the NSO area is not essential to nest site functions or utility; or that the nature or conduct of the activity, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. If a species status is downgraded, or delisted, the NSO buffer area may be modified to an appropriate level. Section 7 consultation procedures would be instituted in those instances where a modification is being considered that involves a federally listed or proposed species.</p> <p><u>Waiver:</u> The Field Office Manager may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity. Section 7 consultation procedures would be instituted in those instances where a waiver is being considered that involves a federally listed or proposed species.</p>				X
<b>NSO-33</b>				
<b>Abandoned Bald Eagle Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 330 feet of abandoned bald eagle nests (i.e., unoccupied for five consecutive years but with all or part of the nest remaining).</p> <p><u>Area:</u> 60 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity.</p>		X		

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-34</b>				
<b>Abandoned Bald Eagle Nests</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 330 feet of abandoned bald eagle nests (i.e., unoccupied for five consecutive years but with all or part of the nest remaining).</p> <p><u>Area:</u> 60 acres</p> <p><u>Purpose:</u> To maintain the integrity of the nest substrate and the character of habitat surrounding the nest site.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of the nest for current or subsequent nesting activity or occupancy.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation buffer distances or substitute with a timing limitation if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, FWS, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of five years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood that the lease area can support further nesting activity.</p>			X	
<b>NSO-35</b>				
<b>Bald Eagle Nocturnal Roosts and Concentration Areas</b>				
<p><u>Stipulation:</u> This area encompasses bald eagle nocturnal roosts and/or concentration areas. Surface occupation is not allowed within 0.25 mile of designated features.</p> <p><u>Area:</u> 360 acres</p> <p><u>Purpose:</u> To maintain the integrity of the roost stand and the character of habitat surrounding the roost site.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act), to interrupt roosting activities and/or cause short or long term adverse modification of suitable roost site characteristics. The Authorized Officer may also grant an exception if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent roosting activities or occupancy.</p> <p><u>Modification:</u> The NSO may be modified by the Authorized Officer if an environmental analysis indicates that a portion of the area is nonessential to roost site function or utility; or that the proposed action could be conditioned to not impair the function or utility of the site for current or subsequent roosting activities or occupancy. The stipulation may also be modified commensurate with changes in species status.</p> <p><u>Waiver:</u> The stipulation may be waived if the species becomes extinct or if the site has failed to support roosting activities over a minimum three year period. A waiver may also apply if the area has changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.</p>	X		X	

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-36</b>				
<b>Bald Eagle Critical Night Roosts</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of identified bald eagle critical night roosts (as defined by the FWS).</p> <p><u>Area:</u> 360 acres</p> <p><u>Purpose:</u> To maintain the integrity of the roost stand and the character of habitat surrounding the roost site.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if the area has changed such that there is no reasonable likelihood of further winter roost functions taking place within the lease area.</p>		X		
<b>NSO-37</b>				
<b>Bald Eagle Critical Night Roosts</b>				
<p><u>Stipulation:</u> Surface occupancy would not be allowed within 0.25 mile of identified bald eagle critical night roosts (as defined by the FWS).</p> <p><u>Area:</u> 360 acres</p> <p><u>Purpose:</u> To maintain the integrity of the roost stand and the character of habitat surrounding the roost site.</p> <p><u>Exception:</u> The Authorized Officer may also grant an exception if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent roosting activities or occupancy</p> <p><u>Modification:</u> The no surface occupancy or use stipulation may be modified by the Authorized Officer if an environmental analysis indicates that a portion of the area is nonessential to roost site function or utility; or that the proposed action could be conditioned to not impair the function or utility of the site for current or subsequent roosting activities or occupancy. The NSO may be modified if the site has failed to support roosting activities over a minimum five year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if the area has changed such that there is no reasonable likelihood of further winter roost functions taking place within the lease area.</p>			X	
<b>NSO-38</b>				
<b>Federally Listed Plant Species</b>				
<p><u>Stipulation:</u> An NSO stipulation will be placed on known (occupied) and potential habitat of federally listed, and candidate T/E plants species. No surface occupancy will be allowed on mapped populations of these plants.</p> <p><u>Area:</u> 48,800 acres</p> <p><u>Purpose:</u> To protect federally listed and candidate plant species and potential habitat from direct and indirect impacts, including loss of habitat.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an inventory and subsequent environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect plant populations.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X			

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-39</b>				
<b>Federally Listed Plant Species</b>				
<p><u>Stipulation:</u> Occupied, suitable, and potential habitat for federally listed, proposed, and candidate species, including any new suitable habitat mapped as a result of future surveys, would be open to oil and gas leasing with an NSO stipulation. This includes any areas that are found in the future to contain currently unknown feature(s) (soil, geologic, vegetative, etc.) that would qualify as potential habitat for federally listed, proposed, or candidate species. An NSO buffer of 660 feet from the edge of the potential, suitable, and occupied habitat would be applied where geography and other resource concerns allow.</p> <p><u>Area:</u> 91,400 acres</p> <p><u>Purpose:</u> To protect federally listed, proposed, and candidate plant species and designated critical habitat from direct and indirect impacts, including loss of habitat. The protection buffer reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> Site specific modifications may be granted if a habitat survey documents potential habitat as unsuitable for federally listed plant species. This only applies to areas found impossible to support these species.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if the species becomes extinct or if the species is downgraded in status the NSO stipulation may be replaced with less stringent criteria.</p>		X		

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-40</b>				
<b>Federally Listed Plant Species</b>				
<p><u>Stipulation:</u> Occupied and suitable habitat for federally listed, proposed, and candidate species, including any new habitat mapped as a result of future surveys, would be open to oil and gas leasing with an NSO stipulation. A buffer of 660 feet from the edge of the suitable or occupied habitat would be applied where geography and other resource concerns allow. Within 330 feet of occupied would be further protected by limited exceptions. Potential habitat for federally listed, proposed, and candidate species would be open to oil and gas leasing with an NSO stipulation. This includes any areas that are found in the future to contain currently unknown feature(s) (soil, geologic, vegetative, etc.) that would qualify as potential habitat for federally listed, proposed, or candidate species.</p> <p><u>Area:</u> 91,400 acres</p> <p><u>Purpose:</u> To protect federally listed, proposed, and candidate plant species and designated critical habitat from direct and indirect impacts, including loss of habitat. The protection buffer reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> Within 330 feet of occupied habitat, surface occupancy may be authorized following ESA Section 7 consultation with the FWS (for species listed under the ESA) that results in a concurrence with a “no effect” or a beneficial effect determination. Within 330 – 660 feet from occupied habitat and within 660 feet of suitable habitat, an exception may be granted if the proposed action results in insignificant (not reasonably measured/detected), discountable (extremely unlikely to occur), or wholly beneficial effects (no negative impacts) to suitable, or occupied habitat (as defined under ESA Section 7 implementing regulations). If an exception is granted, special design, construction, site specific dust abatement, and implementation measures, including relocation of operations by more than 660 feet and postponing construction by more than 60 days, may be required.</p> <p><u>Modification:</u> Site specific modifications may be granted if a habitat survey documents all affected potential habitat as unsuitable for federally listed plant species. This only applies to areas found impossible to support these species.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if the species becomes extinct or if the species is downgraded in status, the NSO stipulation may be replaced with less stringent criteria.</p>			X	

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-41</b>				
<b>Federally Listed Plant Species</b>				
<p><u>Stipulation:</u> Prohibit surface occupancy within a 660 feet buffer from the edge of occupied habitat for the following special status plant species: federally listed species, proposed species and candidate species. An NSO stipulation would be applied to all land use authorizations, permits, and leases that involve surface disturbance associated with oil and gas development.</p> <p><u>Area:</u> 51,700 acres</p> <p><u>Purpose:</u> To protect federally listed, proposed, and candidate plant species and designated critical habitat from direct and indirect impacts, including loss of habitat. The protection buffer reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if it can be demonstrated that the activity would have negligible impacts. In addition, surface occupancy may be authorized following ESA Section 7 consultation with the FWS (for species listed under the ESA). If an exception is granted, special design, construction, site specific dust abatement, and implementation measures, including relocation of operations by more than 660 feet and postponing construction by more than 60 days, may be required.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the species has relocated; the occupied habitat has increased or decreased; or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or recovery of the species. Site specific modifications may be granted if a habitat survey documents potential habitat as unsuitable for federally listed plant species. This only applies to areas found impossible to support these species. If the site has been unoccupied by the species for a minimum period of 20 years then the habitat will be considered as suitable instead of occupied.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if the species becomes extinct or if the species is downgraded in status, the NSO stipulation may be replaced with less stringent criteria.</p>				X
<b>NSO-42</b>				
<b>BLM Sensitive Plant Species</b>				
<p><u>Stipulation:</u> Occupied, suitable, and potential habitat buffered by 330 feet from the edge of habitat for BLM sensitive plants would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities and other land use authorizations, permits, and leases associated with oil and gas development.</p> <p><u>Area:</u> 78,700 acres</p> <p><u>Purpose:</u> To protect BLM sensitive plant species from direct and indirect impacts, including loss of habitat. The protection buffer reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-43</b>				
<b>BLM Sensitive Plant Species</b>				
<p><u>Stipulation:</u> Occupied and suitable habitat buffered by 330 feet from the edge of habitat for BLM sensitive plants would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities and other land use authorizations, permits, and leases associated with oil and gas development.</p> <p><u>Area:</u> 78,700 acres</p> <p><u>Purpose:</u> To protect BLM sensitive plant species from direct and indirect impacts, including loss of habitat. The protection buffer reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if it can be demonstrated that the activity would not cause adverse impacts or have negligible impacts to occupied, suitable, and potential habitat. If an exception is granted, special design, construction, and implementation measures, including relocation of operations and postponing construction by more than 60 days, may be required. If the site has been unoccupied by the species for a minimum period of 20 years then the habitat will be considered as suitable instead of occupied.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the species has relocated; the occupied habitat has increased or decreased; or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or recovery of the species.</p> <p><u>Waiver:</u> If the species is removed from the Colorado BLM State Director's Sensitive Species List, a waiver may be granted by the Authorized Officer or the NSO stipulation may be replaced with less stringent criteria.</p>			X	



**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-44</b>				
<b>Duck Creek Wickiup Village</b>				
<u>Stipulation:</u> Approximately 3 acres within and adjacent to the Duck Creek Wickiup Village would be protected with an NSO stipulation. <u>Area:</u> 3 acres <u>Purpose:</u> To protect a site listed on National Register of Historic Places. <u>Exception:</u> None. <u>Modification:</u> None. <u>Waiver:</u> None.	X			
<b>NSO-45</b>				
<b>Duck Creek Wickiup Village</b>				
<u>Stipulation:</u> Approximately 3 acres within and adjacent to the Duck Creek Wickiup Village would be protected with an NSO stipulation. <u>Area:</u> 3 acres <u>Purpose:</u> To protect a site listed on National Register of Historic Places. <u>Exception:</u> None. <u>Modification:</u> None. <u>Waiver:</u> Destruction of all the physical characteristics of a district, site, building, structure, object, traditional cultural property, historic landscape, or discrete group of thematically related properties, that represents American history, architecture, archaeology, engineering and culture (BLM Manual 8110.32 E). These locations no longer possess integrity of location, design, setting, materials, workmanship, feeling and association that qualify them for nomination to the National Register of Historic Places described by Criteria (a) – (d) within 36 CFR 60.4.		X	X	X
<b>NSO-46</b>				
<b>Mellen Hill</b>				
<u>Stipulation:</u> Approximately 360 acres within and adjacent to the Mellen Hill Sites (5RB227, 5RB279, 5RB489, etc.) would be protected with an NSO stipulation. <u>Area:</u> 360 acres <u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations. <u>Exception:</u> None. <u>Modification:</u> None. <u>Waiver:</u> Destruction of all the physical characteristics of a district, site, building, structure, object, traditional cultural property, historic landscape, or discrete group of thematically related properties, that represents American history, architecture, archaeology, engineering and culture (BLM Manual 8110.32 E). These locations no longer possess integrity of location, design, setting, materials, workmanship, feeling and association that qualify them for nomination to the National Register of Historic Places described by Criteria (a) – (d) within 36 CFR 60.4.		X	X	X

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-47</b>				
<b>Douglas-fir and Aspen on Slopes</b>				
<p><u>Stipulation:</u> Areas with Douglas-fir and aspen on slopes greater than 25 percent would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 63,200 acres</p> <p><u>Purpose:</u> To preserve forest communities on slopes where forest health is difficult to maintain and would otherwise have no protection.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the forest communities have decreased through natural causes (e.g., wildland fire, insects, blow down, etc.); or that the nature or conduct of the activity would not impair the preservation or health of the forest community.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-48</b>				
<b>Douglas-fir and Aspen on Slopes</b>				
<p><u>Stipulation:</u> Areas with Douglas-fir and aspen on slopes greater than 25 percent would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 63,200 acres</p> <p><u>Purpose:</u> To preserve forest communities on slopes where forest health is difficult to maintain and would otherwise have no protection.</p> <p><u>Exception:</u> Operations may be permitted if the Authorized Officer determines through an environmental assessment analysis, that the activity would not impair values associated with the protection or health of the forest communities.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the forest communities have decreased through natural causes (e.g., wildland fire, insects, blow down, etc.); or that the nature or conduct of the activity would not impair the preservation or viability of the forest community.</p> <p><u>Waiver:</u> None.</p>			X	

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-49</b>				
<b>Old Growth</b>				
<p><u>Stipulation:</u> Lands managed as old growth and areas with high potential for old growth would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> Not mapped</p> <p><u>Purpose:</u> To preserve old growth forests and woodlands communities that are not otherwise protected.</p> <p><u>Exception:</u> Operations may be permitted if the Authorized Officer determines through an environmental assessment analysis, that the activity would not impair values associated with the maintenance or viability of the forest and woodland communities.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the forest and woodland communities have decreased through natural causes (e.g., wildland fire, insects, blow down, etc.); or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or viability of the forest and woodland community.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-50</b>				
<b>Oil Shale RD&amp;D Leases</b>				
<p><u>Stipulation:</u> Drilling would be precluded on existing and future Oil Shale Research, Development and Demonstration (RD&amp;D) leases in the Green River Formation.</p> <p><u>Area:</u> 800 acres</p> <p><u>Purpose:</u> To provide for a prudent and planned future leasing and development program for oil shale resources.</p> <p><u>Exception:</u> Drilling could occur on the RD&amp;D lease if the Authorized Officer determines and the RD&amp;D Lessee are in agreement the proposed drilling activity will not adversely affect the RD&amp;D operations or recovery of the oil shale resources.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may waive if this stipulation if the RD&amp;D oil shale operations are abandoned or the RD&amp;D lease is relinquished or terminated.</p>		X	X	X
<b>NSO-51</b>				
<b>Sodium Mining</b>				
<p><u>Stipulation:</u> Drilling would be precluded from active sodium mining areas in the Green River Formation.</p> <p><u>Area:</u> 980 acres</p> <p><u>Purpose:</u> To facilitate the orderly and environmentally sound development of sodium resources.</p> <p><u>Exception:</u> Drilling could occur in active sodium mining areas if the Authorized Officer determines, and the sodium lessee/operator are in agreement, that the proposed drilling activity will not adversely affect the sodium operations or recovery of the sodium resources.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may waive this stipulation if the sodium mining operation is abandoned.</p>		X	X	X

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-52</b>				
<b>Recreation Management Emphasis Areas</b>				
<p><u>Stipulation:</u> Anderson Gulch (2,000 acres), LO7 Hill (1,600 acres), and 3 Mile Gulch (4,200 acres) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 7,700 acres</p> <p><u>Purpose:</u> To maintain and/or enhance targeted recreational opportunities, experiences, and benefits with a primary market-based strategy being “Community” for a market base of Meeker and the upper White River valley of northwestern Colorado.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect the purpose and intent of the management emphasis areas, and/or would benefit the primary market-base of Meeker and the upper White River valley in northwestern Colorado.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-53</b>				
<b>Recreation Management Emphasis Areas</b>				
<p><u>Stipulation:</u> Anderson Gulch (2,000 acres) and 3 Mile Gulch (4,200 acres) would be open to oil and gas leasing with an NSO stipulation. An NSO stipulation would be applied to surface-disturbing activities associated all other land use authorizations, permits, and leases granted in these areas.</p> <p><u>Area:</u> 6,200 acres</p> <p><u>Purpose:</u> To maintain and/or enhance targeted recreational opportunities, experiences, and benefits with a primary market-based strategy being “Community” for a market base of Meeker and the upper White River valley of northwestern Colorado.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect the purpose and intent of the management emphasis area, and/or would benefit the primary market-base of Meeker and the upper White River valley in northwestern Colorado.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	

Table A-1. No Surface Occupancy Stipulations

Stipulation	A	B	C	D
<b>NSO-54</b>				
<b>Areas of Critical Environmental Concern</b>				
<p><u>Stipulation:</u> The following ACECs would be open to oil and gas leasing with an NSO stipulation: Dudley Bluffs, Yanks Gulch/Upper Greasewood Creek, Lower Greasewood Creek, Raven Ridge, South Cathedral Bluffs, Deer Gulch, Ryan Gulch, Blacks Gulch, Coal Draw, Moosehead Mountain, and Duck Creek.</p> <p><u>Area:</u> 28,900 acres</p> <p><u>Purpose:</u> These ACECs contain vertebrate and/or invertebrate fossils of high scientific value or possess plant species that are listed as T/E, candidates for listing, BLM sensitive, State of Colorado plant species of concern, or remnant vegetation associations. Surface occupancy or disturbance will not be allowed within the boundaries of the ACEC.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if, after an on the ground plant inventory is conducted, an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect the identified important values of the ACEC.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X			
<b>NSO-55</b>				
<b>Areas of Critical Environmental Concern</b>				
<p><u>Stipulation:</u> The following ACECs would be open to oil and gas leasing with an NSO stipulation: Dudley Bluffs, Yanks Gulch/Upper Greasewood Creek, Lower Greasewood Creek, Raven Ridge, South Cathedral Bluffs, Deer Gulch, Ryan Gulch, Blacks Gulch, Coal Draw, Moosehead Mountain, and Duck Creek.</p> <p><u>Area:</u> 28,900 acres</p> <p><u>Purpose:</u> These ACECs contain fossils of high scientific value; fragile soils; cultural resources; and/or plant species that are listed as threatened or endangered, proposed or candidates for listing, BLM sensitive, State of Colorado plant species of concern, important biologically diverse plant communities; riparian areas; and/or remnant vegetation associations. Surface occupancy or disturbance will not be allowed within the boundaries of the ACEC.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly adversely affect the identified important values of the ACEC. In ACECs with important plant species or communities, an on-the-ground plant inventory conducted at the appropriate phenological period for the plants of interest would be required prior to considering any requests for exceptions. In ACECs with federally listed and proposed plant species, an exception could be granted after Section 7 consultation with the FWS if it is determined that there is a “no effect” or beneficial effect to the species as a result of the proposed activities. In ACECs with BLM sensitive plant species, an exception could be granted if the BLM determines that there is no effect or beneficial effect to the species as a result of the proposed activities.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X	X	X

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-56</b>				
<b>Lands with Wilderness Characteristics</b>				
<p><u>Stipulation:</u> Areas where non-WSA lands with wilderness characteristics have been identified for retention of their resource values (i.e., parcels are 5,000 acres in size or greater and 20% or less of the area is currently under encumbered by existing oil and gas leases, mineral entries, or non-compatible uses scheduled to expire by the year 2016) would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 111,500 acres</p> <p><u>Purpose:</u> To protect and retain the wilderness character of these lands.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>NSO-57</b>				
<b>Source Water Protection for Public Water Supplies from Groundwater</b>				
<p><u>Stipulation:</u> Areas within ½ mile of groundwater public water supply wells for the town of Dinosaur, Dinosaur National Monument Headquarters, the town of Massadona, the town of Meeker; and the primary protection area with no buffer that includes the portion of the White River aquifer accessed by its groundwater wells would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 1,200 acres</p> <p><u>Purpose:</u> To protect and retain groundwater public water supplies.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the water resources identified.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X	X	

**Table A-1. No Surface Occupancy Stipulations**

Stipulation	A	B	C	D
<b>NSO-58</b>				
<b>Protection for Impaired Waters in the Mesaverde Play Area</b>				
<p><u>Stipulation:</u> Areas within 500 feet of impaired stream segments including; Duck Creek tributary to Yellow Creek (COLCWH13b), Yellow Creek from Barcus Creek to the White River (COLCWH13c), Piceance Creek from Willow Creek to Hunter Creek (COLCWH14a), Piceance Creek from Ryan Gulch to the White River (COLCWH15), and Black Sulphur Creek (COLCWH20) within the Mesaverde play area would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 3,900 acres</p> <p><u>Purpose:</u> To maintain and allow for the improvement of water quality in these stream segments.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the water resources identified.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> This NSO stipulation will be waved for individual stream segments if they are de-listed from the 303(d) list of impaired waters by Colorado Department of Public Health and Environment.</p>		X	X	
<b>NSO 59</b>				
<b>Thornburgh/Battle of Milk Creek Site</b>				
<p><u>Stipulation:</u> The Thornburgh/Battle of Milk Creek site would be open to oil and gas leasing with an NSO stipulation.</p> <p><u>Area:</u> 110 acres</p> <p><u>Purpose:</u> To preserve and protect the Thornburgh/Battle of Milk Creek site as listed on the National Register of Historic Places, maintaining the cultural values of this area.</p> <p><u>Exception:</u> The Field Manager may authorize surface disturbance or use within this area if an environmental analysis finds that the activity as proposed or conditioned would not adversely affect cultural values of the area after documented consultation with the Colorado State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP).</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

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### 3.0 Controlled Surface Use Stipulation Table

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-01</b>				
<b>Fragile Soils</b>				
<p><u>Stipulation:</u> Fragile soils on slopes greater than 35 percent and saline soils derived from Mancos Shale, as identified in the 1997 White River RMP and updated with better mapping would be managed with a CSU stipulation on oil and gas leasing. Surface disturbing activities will be allowed in these areas only after an engineered construction/reclamation plan is submitted by the operator and approved by the Authorized Officer. The following items must be addressed in the plan: 1) how soil productivity will be restored; and 2) how surface runoff will be treated to avoid accelerated erosion such as riling, gullyng, piping, and mass wasting.</p> <p><u>Area:</u> 385,000 acres</p> <p><u>Purpose:</u> To protect fragile soils on slopes greater than 35 percent and saline soils derived from Mancos Shale from reduced soil productivity and erosion.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis of the proposed action identifies that the scale of the operation would not result in any long term decrease in site productivity or increased erosion. An exception may also be granted by the Authorized Officer if a more detailed soil survey determines that soil properties associated with the disturbance do not meet fragile soil criteria.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X			X
<b>CSU-02</b>				
<b>Water Resources</b>				
<p><u>Stipulation:</u> A CSU stipulation will be applied to oil and gas leases and land use authorizations to avoid the following areas: 1) identified 100-year flood plains; 2) areas within 500 feet from perennial waters, springs, wells, and wetland/riparian areas; and 3) areas 100 feet from the inner gorge of ephemeral channels.</p> <p><u>Area:</u> The areas within 100-year floodplains comprise 22,100 acres. Areas within 500 ft of perennial waters, springs, wells, and wetland/riparian areas comprise 55,300 acres. Wetlands and ephemeral channels will be identified during site-specific analysis.</p> <p><u>Purpose:</u> To protect landscape features that are sensitive areas for water resource impacts.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface occupancy, if an environmental analysis finds the nature of the proposed action could be conditioned so as not to negatively impact the water resources identified. An exception may also be granted when areas cannot be avoided and when engineering, best management practices, and/or design considerations are implemented mitigate impacts to water resources.</p> <p><u>Modification:</u> Site specific modification may be granted by the Authorized Officer pending BLM approval of a site specific study by a qualified hydrologist or engineer that finds the areas proposed for surface occupancy after construction would: 1) pass the 10-year peak flow event without erosion, 2) pass the 25-year peak flow without failed infrastructure, 3) pass the 50-year peak flow event without failure (when surface occupancy is planned for greater than 50 years), 4) not impede 100-year peak flow events, 5) not negatively impact springs or wells, and 6) any wetlands impacted could be restored to their original function post occupancy.</p> <p><u>Waiver:</u> None.</p>			X	X

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-03</b>				
<b>Saline Soils</b>				
<p><u>Stipulation:</u> Areas with saline soils (i.e., greater than 8 mmhos/cm), as identified in USDA SCS Order III Soil Surveys, would be open to leasing with a CSU stipulation that would require operators to consider the stability and productivity of these soils in surface use plans. Surface disturbing activities will be allowed in these areas only after a reclamation plan is submitted by the operator and approved by the Authorized Officer. The following items must be addressed in the plan: 1) how soil productivity will be restored, and 2) how reclamation success will be evaluated.</p> <p><u>Area:</u> 45,700 acres</p> <p><u>Purpose:</u> To protect the productivity of saline soils and to reduce salt and selenium loading of surface waters.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis of the proposed action identifies that the scale of the operation would not result in any long term decrease in site productivity or increased erosion. An exception may also be granted if a more detailed soil survey, i.e., Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not saline.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>				X
<b>CSU-04</b>				
<b>Steep Natural Slopes</b>				
<p><u>Stipulation:</u> Natural slopes greater than or equal to 25 percent but less than 35 percent (as defined by digital elevation model data) would be open to oil and gas leasing with a CSU stipulation. A CSU stipulation would be applied to surface-disturbing activities associated with all other land use authorizations, permits, and leases granted in these areas that are associated with oil and gas development. Surface disturbing activities will be allowed in these areas only after an engineered construction/reclamation plan is submitted by the operator and approved by the Authorized Officer. The following items must be addressed in the plan: 1) how soil productivity will be restored and 2) how surface runoff will be addressed to avoid accelerated erosion such as riling, gullyng, piping, and mass wasting.</p> <p><u>Area:</u> 279,900 acres</p> <p><u>Purpose:</u> To protect soils on natural slopes greater than or equal to 25 percent but less than 35 percent.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis of the proposed action identifies that the scale of the operation would not result in any long term decrease in site productivity or increased erosion. An exception may also be granted by the Authorized Officer if a more detailed survey determines that the proposed action will not disturb soils on slopes greater than or equal to 25 percent but less than 35 percent.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-05</b>				
<b>Steep Natural Slopes</b>				
<p><u>Stipulation:</u> Natural slopes greater than or equal to 35 percent but less than 50 percent (as defined by digital elevation model data) would be open to oil and gas leasing with a CSU stipulation A CSU stipulation would be applied to surface-disturbing activities associated with land use authorizations, permits, and leases granted in these areas that are associated with oil and gas development. Surface disturbing activities will be allowed in these areas only after an engineered construction/reclamation plan is submitted by the operator and approved by the Authorized Officer. The following items must be addressed in the plan: 1) how soil productivity will be restored; and 2) how surface runoff will be treated to avoid accelerated erosion such as riling, gullyng, piping, and mass wasting.</p> <p><u>Area:</u> 238,700 acres</p> <p><u>Purpose:</u> To protect soils on natural slopes greater than or equal to 35 percent but less than 50 percent.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis of the proposed action identifies that the scale of the operation would not result in any long term decrease in site productivity or increased erosion. An exception may also be granted by the Authorized Officer if a more detailed survey determines that the proposed action will not disturb soils on slopes greater than or equal to 35 percent.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	
<b>CSU-06</b>				
<b>Riparian/Wetland Habitats</b>				
<p><u>Stipulation:</u> Surface-disturbing activities would be avoided in riparian and wetland habitats (and potential habitats).</p> <p><u>Area:</u> 1,600 acres</p> <p><u>Purpose:</u> To maintain the proper functioning condition including the vegetative hydrologic and geomorphic functionality of the riparian system and to maintain and protect water quality, stream stability, aquatic health, seasonal use and downstream fisheries, and sediment processes downstream.</p> <p><u>Exception:</u> Operations may be authorized by the AO if environmental analysis determines that the proposed activity would not or could be conditioned to not, degrade or forestall attainment of the proper functioning condition of the riparian/wetland area.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-07</b>				
<b>Riparian/Wetland Habitats</b>				
<p><u>Stipulation:</u> Surface-disturbing activities would be avoided in priority riparian/wetland habitats. If the riparian areas could not be avoided, impacts could be mitigated to meet minimum objectives for the system.</p> <p><u>Area:</u> 1,600 acres</p> <p><u>Purpose:</u> To maintain the proper functioning condition, including the vegetative hydrologic and geomorphic functionality of the riparian system and to maintain and protect water quality, stream stability, aquatic health, seasonal use and downstream fisheries, and sediment processes downstream.</p> <p><u>Exception:</u> Operations may be authorized by the Authorized Officer if environmental analysis determines that the proposed activity would not, or could be conditioned to not, degrade or forestall attainment of proper functioning condition of the riparian area.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>				X
<b>CSU-08</b>				
<b>Greater Sage-Grouse Leks</b>				
<p><u>Stipulation:</u> Surface occupancy and surface-disturbing and disruptive activities within 0.6 mile of active and inactive strutting grounds would be avoided. If existing facilities are within 0.6 mile of such leks, leaseholder cooperation would be sought in developing plans that minimize disruption of sage-grouse lek functions and, where detrimental, removing or modifying surface facilities.</p> <p>In those instances where habitat modification within 0.6 mile is unavoidable, disruption of lek activity would be reduced by applying one or more of the following COAs consistent with granted lease rights:</p> <ol style="list-style-type: none"> <li>1) Locating facilities or features beyond line-of-sight.</li> <li>2) Imposing a timing limitation from March 1 to May 15.</li> <li>3) As a last resort or for activity deemed minor and temporary, daily limitations would be imposed that allow disturbance from two hours after sunrise to sunset, with restrictions most stringently applied during the period two hours before and after sunrise.</li> </ol> <p><u>Area:</u> 17,400 acres</p> <p><u>Purpose:</u> To maintain the character and utility of sites used for communal reproductive display and to help prevent the disruption of sage-grouse reproductive activity and displacement of birds from favored reproductive display sites.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities.</p> <p><u>Modification:</u> The no surface occupancy or use area may be modified in extent, or substituted with a timing limitation, by the Authorized Officer if an environmental analysis finds: 1) that a portion of the area is nonessential to site utility or function, 2) that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities, or 3) it is determined that the site has been unoccupied for a minimum of 10 years unless the area has been identified for habitat restoration and population recovery. The stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to sage-grouse breeding activities and/or habitats.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if, in cooperation with the CPW, it is determined that the lease area is no longer capable of supporting lekking activity.</p>			X	

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-09</b>				
<b>Black-footed Ferret Management Area</b>				
<p><u>Stipulation:</u> Ferret management areas (Wolf Creek and Coyote Basin) would be open to oil and gas leasing with a CSU stipulation. The following CSU stipulation would be applied to surface-disturbing and disruptive activities associated with all land use authorizations, permits and leases issued on BLM-administered lands. Surface occupancy or use is subject to the following special operating constraints:</p> <ol style="list-style-type: none"> <li>1) Prior to authorizing activities in this area, the Authorized Officer will confer or consult with the FWS as required by Section 7 of the Endangered Species Act. Depending on the scope of the proposed action, a plan of development may be required that demonstrates how the proposed activities would be conducted or conditioned to avoid the direct or indirect loss of black-footed ferrets or to avoid affecting the capability of the site to achieve reestablishment objectives.</li> <li>2) The Authorized Officer may impose land use measures and limitations derived from a site specific ferret reintroduction and management plan (see below). The measures and limitations would be designed to avoid, or reduce to acceptable levels, the short and long term adverse effects on ferret survival, behavior, reproductive activities, and/or the area's capacity to sustain ferret population objectives. Examples of measures and limitations include: <ol style="list-style-type: none"> <li>a) relocation of surface activities more than 660 feet;</li> <li>b) deferring activities longer than 60 days;</li> <li>c) limiting access to designated roads and trails;</li> <li>d) modifications to project design to discourage raptor perching and prohibit the disruption of certain or all prairie dog burrow systems;</li> <li>e) limiting surface disturbance to certain seasons and times of day;</li> <li>f) Requiring efforts to offset losses of, or expand suitable prairie dog habitats to compensate for, unavoidable habitat loss or adverse habitat modification.</li> </ol> </li> <li>3) The following provisions are derived from "A Cooperative Plan for Black-footed Ferret Reintroduction and Management, Wolf Creek and Coyote Basin Management Areas": <ol style="list-style-type: none"> <li>a) A "Plan of Operations" will be developed for large or multi-year mineral development programs that occur on federal estate within Black-footed Ferret Management Areas.</li> <li>b) Mineral development and utility installation activities will be designed to avoid adverse influence on prairie dog habitat. In the event adverse impacts to prairie dog habitat are unavoidable, activities will be designed to influence the smallest area practicable and/or those areas with the lowest prairie dog densities. When proposed developments cannot be designed or implemented to avoid substantive adverse impacts to the black-footed ferret or their habitat, the project proponents and appropriate agency(ies) would cooperatively develop a mitigation plan. The default objective for compensation is equal and in-kind replacement of the disturbed or destroyed prairie dog habitat via a cooperatively arranged expansion or enhancement of other prairie dog colonies in the Management Area.</li> <li>c) Ferret occupation at the site of a proposed commercial activity may require special mitigation measures (e.g., delay of activities, capture and relocation of ferrets, habitat mitigation, modification to the design of activities or facilities, singularly or in combination). The course of events chosen will be determined cooperatively by the operator, CPW, and FWS at the time of an identified conflict. Reliable evidence of a ferret occupying a proposed project vicinity during the reproductive period may warrant imposing measures as COAs in an effort to reduce the risk of compromising</li> </ol> </li> </ol>	X		X	

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<p>ferret reproductive efforts. Such measures may include relocating the proposed facility, modifying the conduct of an activity, or imposing a timing limitation (1 May to 15 July) on suitable habitats within 0.5 mile of the documented evidence.</p> <p>d) On-site habitat reclamation will be required upon cessation of temporary (less than two years) surface disturbances as necessary.</p> <p>e) As a general rule, acre-for-acre mitigation will be required for habitat lost due to permanent (equal to or greater than two years) surface disturbances. Examples of mitigation forms are listed below:</p> <p>i) Vegetation Treatment. Burning, mechanical, and/or chemical treatments applied to areas with excessive or otherwise incompatible vegetation adjacent to existing towns and likely to be colonized by prairie dogs following land treatment.</p> <p>ii) Relocation of Prairie Dogs. Prairie dogs translocated from the site of surface disturbance to an area with vacant burrow systems.</p> <p>iii) Create New Burrow Systems. The construction of artificial burrows in potential habitat which is lacking burrows and relocating affected prairie dogs to the artificial burrows.</p> <p>iv) Habitat Banking. To avoid the inconvenience and inefficiency of implementing a large number of small mitigation projects over time, operators would have the option of implementing larger mitigation projects that could be used as a credit against future habitat modifications.</p> <p><u>Area:</u> 53,200 acres</p> <p><u>Purpose:</u> This is a controlled surface use area for promoting the reestablishment and development of a self-sustaining black-footed ferret population.</p> <p><u>Exception:</u> The Authorized Officer, in conference with FWS, may authorize surface disturbance or use within these areas if an environmental analysis finds that the activity as proposed or conditioned, would not adversely influence ferret recovery, or conflict with the ferret reintroduction and management plan.</p> <p><u>Modification:</u> The Authorized Officer, in conference with FWS, may modify the terms of the CSU if the proposed action is shown to be compatible with ferret recovery goals and/or the ferret reintroduction and management plan.</p> <p><u>Waiver:</u> The Authorized Officer, in conference with FWS, may grant a waiver if extirpation of wild, free roaming ferret populations culminates in the discontinuance of the species recovery program, or local reintroduction efforts are otherwise abandoned.</p>				

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-10</b>				
<b>Black-footed Ferret Management Area</b>				
<p><u>Stipulation:</u> Ferret management areas (Wolf Creek, Coyote Basin, and Snake John Reef) would be open to oil and gas leasing with a CSU stipulation. The following CSU stipulation would be applied to surface-disturbing and disruptive activities associated with all land use authorizations, permits and leases issued on BLM-administered lands. Surface occupancy or use is subject to the following special operating constraints:</p> <ol style="list-style-type: none"> <li>1) Prior to authorizing activities in this area, the Authorized Officer will confer or consult with the FWS as required by Section 7 of the Endangered Species Act. Depending on the scope of the proposed action, a plan of development may be required that demonstrates how the proposed activities would be conducted or conditioned to avoid the direct or indirect loss of black-footed ferrets or to avoid affecting the capability of the site to achieve reestablishment objectives.</li> <li>2) The Authorized Officer may impose land use measures and limitations derived from a site specific ferret reintroduction and management plan (see below). The measures and limitations would be designed to avoid, or reduce to acceptable levels, the short and long term adverse effects on ferret survival, behavior, reproductive activities, and/or the area's capacity to sustain ferret population objectives. Examples of measures and limitations include: <ol style="list-style-type: none"> <li>a) relocation of surface activities more than 660 feet;</li> <li>b) deferring activities longer than 60 days;</li> <li>c) limiting access to designated roads and trails;</li> <li>d) modifications to project design to discourage raptor perching and prohibit the disruption of certain or all prairie dog burrow systems;</li> <li>e) limiting surface disturbance to certain seasons and times of day;</li> <li>f) Requiring efforts to offset losses of, or expand suitable prairie dog habitats to compensate for, unavoidable habitat loss or adverse habitat modification.</li> </ol> </li> <li>3) The following provisions are derived from "A Cooperative Plan for Black-footed Ferret Reintroduction and Management, Wolf Creek and Coyote Basin Management Areas": <ol style="list-style-type: none"> <li>a) A "Plan of Operations" will be developed for large or multi-year mineral development programs that occur on federal estate within Black-footed Ferret Management Areas.</li> <li>b) Mineral development and utility installation activities will be designed to avoid adverse influence on prairie dog habitat. In the event adverse impacts to prairie dog habitat are unavoidable, activities will be designed to influence the smallest area practicable and/or those areas with the lowest prairie dog densities. When proposed developments cannot be designed or implemented to avoid substantive adverse impacts to the black-footed ferret or their habitat, the project proponents and appropriate agency(ies) would cooperatively develop a mitigation plan. The default objective for compensation is equal and in-kind replacement of the disturbed or destroyed prairie dog habitat via a cooperatively arranged expansion or enhancement of other prairie dog colonies in the Management Area.</li> <li>c) Ferret occupation at the site of a proposed commercial activity may require special mitigation measures (e.g., delay of activities, capture and relocation of ferrets, habitat mitigation, modification to the design of activities or facilities, singularly or in combination). The course of events chosen will be determined cooperatively by the operator, CPW, and FWS at the time of an identified conflict. Reliable evidence of a ferret occupying a proposed project vicinity during the reproductive period may warrant imposing measures as COAs in an effort to reduce the risk of compromising</li> </ol> </li> </ol>			X	

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<p>ferret reproductive efforts. Such measures may include relocating the proposed facility, modifying the conduct of an activity, or imposing a timing limitation (1 May to 15 July) on suitable habitats within 0.5 mile of the documented evidence.</p> <p>d) On-site habitat reclamation will be required upon cessation of temporary (less than two years) surface disturbances as necessary.</p> <p>e) As a general rule, acre-for-acre mitigation will be required for habitat lost due to permanent (equal to or greater than two years) surface disturbances. Examples of mitigation forms are listed below:</p> <p>i) Vegetation Treatment. Burning, mechanical, and/or chemical treatments applied to areas with excessive or otherwise incompatible vegetation adjacent to existing towns and likely to be colonized by prairie dogs following land treatment.</p> <p>ii) Relocation of Prairie Dogs. Prairie dogs translocated from the site of surface disturbance to an area with vacant burrow systems.</p> <p>iii) Create New Burrow Systems. The construction of artificial burrows in potential habitat which is lacking burrows and relocating affected prairie dogs to the artificial burrows.</p> <p>iv) Habitat Banking. To avoid the inconvenience and inefficiency of implementing a large number of small mitigation projects over time, operators would have the option of implementing larger mitigation projects that could be used as a credit against future habitat modifications.</p> <p><u>Area:</u> 58,600 acres</p> <p><u>Purpose:</u> This is a controlled surface use area for promoting the reestablishment and development of a self-sustaining black-footed ferret population.</p> <p><u>Exception:</u> The Authorized Officer, in conference with FWS, may authorize surface disturbance or use within these areas if an environmental analysis finds that the activity as proposed or conditioned, would not adversely influence ferret recovery, or conflict with the ferret reintroduction and management plan.</p> <p><u>Modification:</u> The Authorized Officer, in conference with FWS, may modify the terms of the CSU if the proposed action is shown to be compatible with ferret recovery goals and/or the ferret reintroduction and management plan.</p> <p><u>Waiver:</u> The Authorized Officer, in conference with FWS, may grant a waiver if extirpation of wild, free roaming ferret populations culminates in the discontinuance of the species recovery program, or local reintroduction efforts are otherwise abandoned.</p>				



**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-11</b>				
<b>Colorado River Cutthroat Trout Habitat</b>				
<p><u>Stipulation:</u> Colorado River cutthroat trout habitat would be open to oil and gas leasing and permitted surface use activities with a CSU stipulation. Prior to authorizing surface disturbance of occupied stream reaches, those slated for recovery, or within watersheds contributing to occupied habitats, the Field Office Manager may require the proponent/applicant to submit a plan of development that would demonstrate that the proposed action would not: 1) increase stream gradient; 2) result in a net increase in sediment contribution; 3) decrease stream channel sinuosity; 4) increase the channel width to depth ratio; 5) increase water temperature; 6) decrease vegetation derived stream shading; and 7) degrade existing water quality parameters, including specific conductance, turbidity, organic/inorganic contaminant levels, and dissolved oxygen in identified reaches or contributing perennial or intermittent tributaries. If approvals are granted and development results in these standards being exceeded, additional measures would be required to correct the deficiencies. The proponent may be required to monitor stream/channel responses throughout the life of the project.</p> <p><u>Area:</u> 97,000 acres</p> <p><u>Purpose:</u> Protection of aquatic habitats occupied by or suited for recovery of Colorado River cutthroat trout.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface disturbance in these areas if an environmental analysis indicates that the project would have no adverse influence on identified stream characteristics.</p> <p><u>Modification:</u> Short term transgressions of the stream characteristics listed above may be allowed if the Authorized Officer determines, through environmental analysis, that short term deviations will have no adverse consequences on affected channel reaches beyond the construction phase of the project.</p> <p><u>Waiver:</u> In the event the population status of Colorado River cutthroat trout warrants downgrading, this stipulation may be replaced by less stringent criteria.</p>	X			

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-12</b>				
<b>Colorado River Cutthroat Trout Habitat</b>				
<p><u>Stipulation:</u> Colorado River cutthroat trout habitat would be open to oil and gas leasing and permitted surface use activities with a CSU stipulation. Prior to authorizing surface disturbance of occupied stream reaches, those slated for recovery, or within watersheds contributing to occupied habitats, the Field Office Manager may require the proponent/applicant to submit a plan of development that would demonstrate that the proposed action would not: 1) increase stream gradient; 2) result in a net increase in sediment contribution; 3) decrease stream channel sinuosity; 4) increase the channel width to depth ratio; 5) increase water temperature; 6) decrease vegetation derived stream shading; and 7) degrade existing water quality parameters, including specific conductance, turbidity, organic/inorganic contaminant levels, and dissolved oxygen in identified reaches or contributing perennial or intermittent tributaries. If approvals are granted and development results in these standards being exceeded, additional measures would be required to correct the deficiencies. The proponent may be required to monitor stream/channel responses throughout the life of the project.</p> <p><u>Area:</u> 97,000 acres</p> <p><u>Purpose:</u> Protection of aquatic habitats occupied by or suited for recovery of Colorado River cutthroat trout.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface disturbance in these areas if an environmental analysis indicates that the project would have no adverse influence on identified stream characteristics.</p> <p><u>Modification:</u> Short term transgressions of the stream characteristics listed above may be allowed if the Authorized Officer determines, through environmental analysis, that short term deviations will have no adverse consequences on affected channel reaches beyond the construction phase of the project. In the event the management status of Colorado River cutthroat trout warrants downgrading, this stipulation may be replaced by less stringent criteria. The provisions of the stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to channel function and aquatic habitat conditions as they pertain to the support of native trout populations.</p> <p><u>Waiver:</u> A waiver may be granted if habitat conditions are determined to be permanently incapable of supporting populations of BLM-sensitive fish.</p>		X	X	X

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-13</b>				
<b>Colorado River Cutthroat Trout Habitat</b>				
<p><u>Stipulation:</u> Colorado River cutthroat trout habitat and BLM-administered portions of Black Sulphur Creek would be open to oil and gas leasing and permitted surface use activities with a CSU stipulation. Prior to authorizing surface disturbance of occupied stream reaches, those slated for recovery, or within watersheds contributing to occupied habitats, the Field Office Manager may require the proponent/applicant to submit a plan of development that would demonstrate that the proposed action would not: 1) increase stream gradient; 2) result in a net increase in sediment contribution; 3) decrease stream channel sinuosity; 4) increase the channel width to depth ratio; 5) increase water temperature; 6) decrease vegetation derived stream shading; and 7) degrade existing water quality parameters, including specific conductance, turbidity, organic/inorganic contaminant levels, and dissolved oxygen in identified reaches or contributing perennial or intermittent tributaries. If approvals are granted and development results in these standards being exceeded, additional measures would be required to correct the deficiencies. The proponent may be required to monitor stream/channel responses throughout the life of the project.</p> <p><u>Area:</u> 2,700 acres</p> <p><u>Purpose:</u> Protection of aquatic habitats occupied by or suited for recovery of Colorado River cutthroat trout.</p> <p><u>Exception:</u> The Authorized Officer may authorize surface disturbance in these areas if an environmental analysis indicates that the project would have no adverse influence on identified stream characteristics.</p> <p><u>Modification:</u> Short term transgressions of the stream characteristics listed above may be allowed if the Authorized Officer determines, through environmental analysis, that short term deviations will have no adverse consequences on affected channel reaches beyond the construction phase of the project. In the event the management status of Colorado River cutthroat trout warrants downgrading, this stipulation may be replaced by less stringent criteria. The provisions of the stipulation may also be modified if the proponent, BLM, CPW, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to channel function and aquatic habitat conditions as they pertain to the support of native trout populations.</p> <p><u>Waiver:</u> A waiver may be granted if habitat conditions are determined to be permanently incapable of supporting populations of BLM-sensitive fish.</p>		X	X	

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-14</b>				
<b>Bald Eagle Nest, Roost, and Perch Habitat</b>				
<p><u>Stipulation:</u> Prior to authorizing surface disturbance within this area, and pending conferral or consultation with the FWS as required by the Endangered Species Act, the Authorized Officer may require development that would demonstrate that: 1) involvement of cottonwood stands or cottonwood regeneration areas have been avoided to the extent practicable; 2) special reclamation measures or design features are incorporated that would accelerate recovery and/or reestablishment of affected cottonwood communities; 3) the pre-development potential of affected floodplains to develop or support riverine cottonwood communities has not been diminished; and 4) the current/future utility of such cottonwood substrate for bald eagle use would not be impaired.</p> <p><u>Area:</u> 930 acres</p> <p><u>Purpose:</u> To maintain the long term suitability, utility, and development opportunities for specialized riverine habitat features involving bald eagle nest, roost, and perch substrate on federal lands.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the proposed or conditioned activities would not affect the long term suitability or utility of habitat features or diminish opportunities for natural floodplain functions. Surface disturbance and occupation may also be authorized in the event that established impacts to habitat values would be compensated or offset to the satisfaction of the BLM in consultation with FWS and CPW.</p> <p><u>Modification:</u> Integral with exception and stipulation.</p> <p><u>Waiver:</u> None.</p>	X			
<b>CSU-15</b>				
<b>Bald Eagle Nest, Roost, and Perch Habitat</b>				
<p><u>Stipulation:</u> Prior to authorizing surface disturbance within this area, and pending coordination with the FWS consistent with provisions of the Bald and Golden Eagle Protection Act, including its implementing regulations, the Authorized Officer may require the proponent/applicant to submit a plan of development that would demonstrate that: 1) involvement of cottonwood stands or cottonwood regeneration areas have been avoided to the extent practicable; 2) special reclamation measures or design features are incorporated that would accelerate recovery and/or reestablishment of affected cottonwood communities; 3) the pre-development potential of affected flood plains to develop or support riverine cottonwood communities has not been diminished; and 4) the current/future utility of such cottonwood substrate for bald eagle use would not be impaired.</p> <p><u>Area:</u> 930 acres</p> <p><u>Purpose:</u> For maintaining the long term suitability, utility and development opportunities for specialized riverine habitat features involving bald eagle nest, roost, and perch substrate on federal lands.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the proposed or conditioned activities would not affect the long term suitability or utility of habitat features or diminish opportunities for natural flood plain functions. Surface disturbance and occupation may also be authorized in the event that established impacts to habitat values would be compensated or offset to the satisfaction of the BLM in consultation with FWS and CPW.</p> <p><u>Modification:</u> Integral with exception and stipulation.</p> <p><u>Waiver:</u> None.</p>		X	X	

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-16</b>				
<b>BLM Sensitive Plant Species</b>				
<p><u>Stipulation:</u> Occupied habitat for BLM sensitive plants would be open to oil and gas leasing with a CSU stipulation. A CSU stipulation would be applied to surface disturbing activities and other land use authorizations, permits, and leases for oil and gas activities issued on BLM-administered lands. For plant species listed as BLM sensitive, special design, construction, and implementation measures, including relocation of operations by more than 660 feet may be required. In addition, relocation would be required beyond 330 feet from occupied habitat.</p> <p><u>Area:</u> 7,200 acres</p> <p><u>Purpose:</u> To protect BLM sensitive plant species from direct and indirect impacts, including loss of habitat. Possible relocation of a project reduces the risk of impacts to special status plant populations from dust transport, weed invasion, chemical and produced-water spills. It also reduces impacts to important pollinators and their habitat.</p> <p><u>Exception:</u> An exception may be granted by the Authorized Officer if it can be demonstrated that the activity would not cause adverse impacts or have negligible impacts. If an exception is granted, special design, construction, and implementation measures, including relocation of operations by more than 330 feet, may be required. If the site has been unoccupied by the species for a minimum period of 20 years then the habitat will be considered as suitable instead of occupied.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the species has relocated; the occupied habitat has increased or decreased; or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or recovery of the species.</p> <p><u>Waiver:</u> None.</p>				X
<b>CSU-17</b>				
<b>Texas-Missouri-Evacuation Creek</b>				
<p><u>Stipulation:</u> In the event archaeological or historical resources are located during the inventory process, the proposed action will be relocated to avoid and protect the cultural values. The extent of relocation will be dependent upon the nature and extent of the proposal and the type of cultural resources involved. Relocation may involve moving surface disturbing activities a distance greater than 660 feet to adequately avoid the resource of concern. Proposed actions that would result in the production of supersonic, sonic, or low frequency subsonic vibrations shall be located a distance far enough from rock art or architectural features to allow full attenuation of the vibrations.</p> <p><u>Area:</u> 22,500 acres</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations. The Texas-Missouri-Evacuation Creek cultural resource concentration area contains a high potential for the occurrence of cultural resources.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation, if through an environmental analysis and consultation with the Colorado SHPO, ACHP, and Indian Tribes it is determined that other acceptable mitigation can be developed to protect or preserve sites and data.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X	X	X	X

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU- 18</b>				
<b>Thornburgh/Battle of Milk Creek Viewshed</b>				
<p><u>Stipulation:</u> The Thornburgh/Battle of Milk Creek viewshed would be open to oil and gas leasing with a CSU stipulation. The following CSU stipulation would be applied to surface-disturbing activities associated with all land use authorizations, permits and leases issued on BLM-administered lands and/or BLM mineral estate. Surface occupancy or use is subject to the following constraints:</p> <p>The Authorized Officer may impose mitigation measures on a site specific basis designed to avoid, or reduced to acceptable levels, the short and long term visual and auditory adverse effects on the area. Mitigation measures may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Relocation of surface activities more than 660 feet</li> <li>b) Limiting access to existing roads and trails</li> <li>c) Limiting surface disturbance to certain seasons of the year</li> <li>d) Modifications of project design for permanent above ground facilities with height restrictions and use of visual resource management painting methods, including camouflage.</li> <li>e) Modifications of project design for temporary and permanent developments to adhere to sound restrictions.</li> </ul> <p><u>Area:</u> 5,800 acres</p> <p><u>Purpose:</u> To preserve and protect the landscape surrounding the Thornburgh/Battle of Milk Creek site as listed on the National Register of Historic Places, maintaining the cultural values of this area.</p> <p><u>Exception:</u> The Field Manager may authorize surface disturbance or use within this area if an environmental analysis finds that the activity as proposed or conditioned would not adversely affect cultural values of the area.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X	X	X
<b>CSU-19</b>				
<b>Rock Art and Standing Architecture</b>				
<p><u>Stipulation:</u> Within Canyon Pintado National Historic District, proposed actions that produce vibrations will be located a distance far enough away from rock art or structural features to allow full attenuation of the vibration before it gets to the resource of concern.</p> <p><u>Area:</u> 16,000 acres</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X			

Table A-2. Controlled Surface Use Stipulations

Stipulation	A	B	C	D
<b>CSU-20</b>				
<b>Rock Art and Standing Architecture</b>				
<p><u>Stipulation:</u> Development would be restricted within 1,000 ft. of rock art or standing architecture such as cabins, rock structures, or standing wickiups. Vibrations from construction would be substantially limited unless it could be shown that environmental attenuation would prevent the vibrations from reaching the rock art or standing architecture. Applicants would be required to monitor site integrity a minimum of once per year, or more frequently at the discretion of the BLM. If deterioration of the site integrity was documented, the holder would bear the cost and responsibility for stabilization or other data recovery.</p> <p><u>Area:</u> Not mapped</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations.</p> <p><u>Exception:</u> If avoidance standards could not be met, full mitigation, including level II archival documentation (i.e., photographs or other measures) as determined necessary through consultation with the Colorado State Historic Preservation Office (SHPO), ACHP and Indian tribes, could be required before development would be allowed to proceed.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>CSU-21</b>				
<b>Rock Art and Standing Architecture</b>				
<p><u>Stipulation:</u> Development would be restricted within 750 ft. of rock art or standing architecture such as cabins, rock structures, or standing wickiups. Vibrations from construction would be substantially limited unless it could be shown that environmental attenuation would prevent the vibrations from reaching the rock art or standing architecture. Applicants would be required to monitor site integrity a minimum of once per year, or more frequently at the discretion of the BLM. If deterioration of the site integrity was documented, the holder would bear the cost and responsibility for stabilization or other data recovery.</p> <p><u>Area:</u> Not mapped</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations.</p> <p><u>Exception:</u> If avoidance standards could not be met, full mitigation, including level II archival documentation (i.e., photographs or other measures) as determined necessary through consultation with the Colorado State Historic Preservation Office (SHPO), ACHP and Indian tribes, could be required before development would be allowed to proceed.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-22</b>				
<b>Rock Art and Standing Architecture</b>				
<p><u>Stipulation:</u> Development would be restricted within 500 ft. of rock art or standing architecture such as cabins, rock structures, or standing wickiups. Vibrations from construction would be substantially limited unless it could be shown that environmental attenuation would prevent the vibrations from reaching the rock art or standing architecture. Applicants would be required to monitor site integrity a minimum of once per year, or more frequently at the discretion of the BLM. If deterioration of the site integrity was documented, the holder would bear the cost and responsibility for stabilization or other data recovery.</p> <p><u>Area:</u> Not mapped</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations.</p> <p><u>Exception:</u> If avoidance standards could not be met, full mitigation, including level II archival documentation (i.e., photographs or other measures) as determined necessary through consultation with the Colorado State Historic Preservation Office (SHPO), ACHP and Indian tribes, could be required before development would be allowed to proceed.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>				X
<b>CSU-23</b>				
<b>Protected Historic Properties and Resources</b>				
<p><u>Stipulation:</u> This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, Executive Order (E.O.) 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized, or mitigated.</p> <p><u>Area:</u> White River Field Office</p> <p><u>Purpose:</u> To preserve and protect examples of cultural and historic resources to ensure that they are available for appropriate uses by present and future generations.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X	X	X	X



**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-24</b>				
<b>Forestry &amp; Woodland Products</b>				
<p><u>Stipulation:</u> Manage old growth and areas with high potential for old growth characteristics with a CSU stipulation. The CSU to retain stands with old growth characteristics or high potential to develop old growth characteristics.</p> <p><u>Area:</u> Not mapped</p> <p><u>Purpose:</u> To preserve old growth forests and woodlands communities that are not otherwise protected.</p> <p><u>Exception:</u> Operations may be authorized if the Authorized Officer determines that the activity would not impair values associated with the maintenance or viability of the forest and woodland communities.</p> <p><u>Modification:</u> The Authorized Officer may modify (increase, decrease, or relocate) the area subject to the stipulation if it is determined that the forest and woodland communities have decreased through natural causes (e.g., wildland fire, insects, blow down, etc.); or that the nature or conduct of the activity, as proposed or conditioned, would not impair values associated with the maintenance or viability of the forest and woodland community.</p> <p><u>Waiver:</u> None.</p>			X	
<b>CSU-25</b>				
<b>Oil Shale</b>				
<p><u>Stipulation:</u> In areas available for commercial oil shale and multi-mineral leasing, as identified in Appendix C (Table C-1) of the 2008 Proposed Oil Shale and Tar Sands RMP Amendments to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic EIS (and updated in the Draft Programmatic EIS and Possible Land Use Plan Amendments for Allocation of Oil Shale and Tar Sands Resources on Lands Administered by the BLM in Colorado, Utah, and Wyoming), oil and gas wells may be relocated more than 660 feet such that drilling will not interfere with the mining and recovery of oil shale deposits or the extraction of shale oil by in situ methods or that the interest of the United States would best be served thereby.</p> <p><u>Area:</u> 327,200 acres</p> <p><u>Purpose:</u> To provide for a prudent and planned future leasing and development program for oil shale resources.</p> <p><u>Exception:</u> The drilling location will be permitted only in the event that it is established to the satisfaction of the Authorized Officer that such drilling will not interfere with the mining and recovery of oil shale deposits or the extraction of shale oil by in situ methods or that the interest of the United States would best be served thereby.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-26</b>				
<b>Oil Shale</b>				
<p><u>Stipulation:</u> On commercial oil shale leases, oil and gas wells may be relocated more than 660 feet such that drilling will not interfere with the mining and recovery of oil shale deposits or the extraction of shale oil by in situ methods or that the interest of the United States would best be served thereby.</p> <p><u>Area:</u> No areas are currently leased for commercial oil shale development. The maximum area possible would be those areas identified as available for oil shale and multi-mineral leasing in the Green River Formation, as identified in Appendix C (Table C-1) of the 2008 Proposed Oil Shale and Tar Sands RMP Amendments to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic EIS (and updated in the Draft Programmatic EIS and Possible Land Use Plan Amendments for Allocation of Oil Shale and Tar Sands Resources on Lands Administered by the BLM in Colorado, Utah, and Wyoming), which is 327,200 acres.</p> <p><u>Purpose:</u> To provide for a prudent and planned future leasing and development program for oil shale resources.</p> <p><u>Exception:</u> The drilling location will be permitted only in the event that it is established to the satisfaction of the Authorized Officer that such drilling will not interfere with the mining and recovery of oil shale deposits or the extraction of shale oil by in situ methods or that the interest of the United States would best be served thereby.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	X
<b>CSU-27</b>				
<b>Oil Shale</b>				
<p><u>Stipulation:</u> A maximum of four pads per section would be allowed in areas identified in the 1986 Oil Shale Agreement.</p> <p><u>Area:</u> 86,000 acres</p> <p><u>Purpose:</u> To provide for a prudent and planned future leasing and development program for oil shale resources.</p> <p><u>Exception:</u> More than four pads per section may be allowed if the if the surface and oil shale mineral estate owners are in agreement that the pad locations will not adversely affect the orderly development of the oil shale resources.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> May be waived if the surface and oil shale mineral estate owners are in agreement to allow the oil and gas lessee to locate more than four well pads per section.</p>		X	X	X

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-28</b>				
<b>Permitted Coal Mine</b>				
<p><u>Stipulation:</u> This area is included in the approved permit area for the Deserado Coal Mine. The oil and gas lessee must reach agreement with the federal coal lessee on the placement of wells or surface facilities within the coalmine permit area. Surface occupation may not be allowed within the mine permit area.</p> <p><u>Area:</u> 12,000 acres</p> <p><u>Purpose:</u> To protect the existing rights of the federal coal lessee.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if the coal lessee and the oil and gas lessee have reached an agreement as to the location of well(s) and surface facilities.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may waive this stipulation if the coal mining operation is abandoned.</p>	X			
<b>CSU-29</b>				
<b>Coal</b>				
<p><u>Stipulation:</u> Permits for oil and gas drilling in all areas leased for coal along with the area adjacent to and south of the approved Deserado Coal Mine Permit Area are subject to this CSU. The oil and gas lessee must reach agreement with the federal coal lessee on the placement of wells or surface facilities within the coal lease and adjacent coalmine permit area. Surface occupation may not be allowed within the mine permit area.</p> <p><u>Area:</u> 19,000 acres</p> <p><u>Purpose:</u> To protect the existing rights of the federal coal lessee.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if the coal lessee and the oil and gas lessee have reached an agreement as to the location of well(s) and surface facilities.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may waive this stipulation if the coal mining operation is abandoned.</p>		X		
<b>CSU-30</b>				
<b>Coal</b>				
<p><u>Stipulation:</u> Permits for oil and gas drilling in areas included in the Deserado Coal Mine Permit Area as well as the area adjacent to and south of the approved Deserado Coal Mine Permit Area are subject to this CSU. The oil and gas lessee must reach agreement with the federal coal lessee on the placement of wells or surface facilities within the coal lease and adjacent coalmine permit area. Surface occupation may not be allowed within the mine permit area.</p> <p><u>Area:</u> 18,800 acres</p> <p><u>Purpose:</u> To protect the existing rights of the federal coal lessee and protection of coal resources for future recovery.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if the coal lessee and the oil and gas lessee have reached an agreement as to the location of well(s) and surface facilities.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer may waive this stipulation if the coal mining operation is abandoned.</p>			X	X

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-31</b>				
<b>Recreation Management Emphasis Areas</b>				
<p><u>Stipulation:</u> Anderson Gulch (2,000 acres), LO7 Hill (1,600 acres), and 3 Mile Gulch (4,200 acres) would be open to oil and gas leasing with a CSU stipulation. A CSU stipulation would be applied to surface-disturbing activities associated all other land use authorizations, permits, and leases granted in these areas. The Authorized Officer may impose land use measures and limitations designed to avoid, or reduce to acceptable levels, the short term and long term adverse effects on maintaining the prescribed ROS setting for Anderson Gulch, LO7 Hill, and Three Mile Gulch. Examples of measures and limitations include: 1) relocation of surface activities more than 660 feet; 2) deferring activities longer than 60 days; 3) limiting access to designated roads and trails; 4) limiting surface disturbance to certain seasons and times of day to minimize conflicts during periods of high recreation use; and 5) mitigation designed to reduce both the visual and auditory presence of oil and gas development activities.</p> <p><u>Area:</u> 7,700 acres</p> <p><u>Purpose:</u> To maintain and/or enhance targeted recreational opportunities, experiences, and benefits with a primary market-based strategy being “Community” for a market base of Meeker and the Upper White River Valley of northwestern Colorado.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception to this stipulation if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned would not directly or indirectly affect the purpose and intent of the management emphasis area, and/or would benefit the primary market-base of Meeker and the upper White River valley in northwestern</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>			X	
<b>CSU-32</b>				
<b>Special Designations</b>				
<p><u>Stipulation:</u> The following ACECs would be open to oil and gas leasing with a CSU stipulation: White River Riparian, Coal Oil Rim, Oil Spring Mountain, and East Douglas Creek.</p> <p><u>Area:</u> 70,100 acres</p> <p><u>Purpose:</u> These ACECs are known to contain, or have potential to contain, T/E plants or plants that are candidates for listing as T/E, State of Colorado plant species of concern, BLM sensitive plants, remnant vegetation associations, and/or unique plant communities. A plant inventory will be conducted prior to approving any surface disturbing activities within the ACEC boundaries. Surface disturbance will not be allowed within mapped locations of these plants. The presence of the above listed plants would require relocating surface disturbance or facilities more than 660 feet. The timing required for conducting the plant inventories may require deferring activities longer than 60 days.</p> <p><u>Exception:</u> This stipulation may be excepted by the Authorized Officer if an environmental analysis of the proposed action indicates that the plants of concern would not be affected.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>	X			

**Table A-2. Controlled Surface Use Stipulations**

Stipulation	A	B	C	D
<b>CSU-33</b>				
<b>Special Designations</b>				
<p><u>Stipulation:</u> The following ACECs would be open to oil and gas leasing with a CSU stipulation: White River Riparian, Coal Oil Rim, Oil Spring Mountain, and East Douglas Creek.</p> <p><u>Area:</u> 70,100 acres</p> <p><u>Purpose:</u> Portions of these ACECs are known to contain, or have potential to contain, important biologically diverse plant communities, small aspen clones, riparian areas, and/or spruce-fir communities. Surface disturbance will not be allowed within mapped locations of these plant communities. The presence of the above listed plant communities would require relocating surface disturbance or facilities more than 660 feet. The timing required for conducting the plant inventories may require deferring activities longer than 60 days.</p> <p><u>Exception:</u> In ACECs with important plant species or communities, an on-the-ground plant inventory conducted at the appropriate phenological period for the plants of interest would be required prior to considering any requests for exceptions. An exception may be granted by the Authorized Officer if an environmental analysis of the proposed action indicates that it would not cause adverse impacts or would have negligible adverse impacts on these plant communities. If an exception is granted, special design, construction, and implementation measures (including site specific dust abatement), may be required.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X	X	X

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## 4.0 Timing Limitation Stipulation Table

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-01</b>				
<b>Elk Production Areas</b>				
<p><u>Stipulation:</u> This area encompasses an elk production area. No development is allowed from May 15 through June 30. (Development can occur from July 1 through May 14).</p> <p><u>Area:</u> 12,700 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods of energetic challenge. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity. An exception may also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to elk production or habitat condition. An exception may also be granted for actions intended to enhance the long term utility or availability of suitable habitat.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and timeframes of this stipulation if CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications could be authorized if the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition. A modification may also be approved if the proponent, BLM, and CPW agree to compensation that satisfactorily offset detrimental impacts to elk production or habitat condition.</p> <p><u>Waiver:</u> This stipulation may be waived if CPW determines that the area is no longer utilized by elk for production purposes.</p>	X			X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-02</b>				
<b>Big Game Severe Winter Range</b>				
<p><u>Stipulation:</u> This area encompasses big game severe winter range. No development activity is allowed from December 1 through April 30. (Development is allowed from May 1 through November 30).</p> <p><u>Area:</u> 446,600 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods of energetic challenge. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis indicates that the proposed action could be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity. An exception may also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game winter activities or habitat condition. Under mild winter conditions, when prevailing habitat or weather conditions allow early dispersal of animals from all or portions of a project area, an exception may be granted to suspend the last 60 days of this seasonal limitation. Severity of winter will be determined on the basis of snow depth, snow crusting, daily mean temperatures, and whether animals were concentrated on the winter range during the winter months. Exceptions may also be granted for actions specifically intended to enhance the long term utility or availability of suitable habitat.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and timeframes of this stipulation if CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications may also be authorized if the proposed action could be conditioned so as not to interfere with habitat function or compromise animal condition. In addition, if the proponent, BLM, and CPW agree to habitat compensation that satisfactorily offsets detrimental impacts to activity or habitat condition.</p> <p><u>Waiver:</u> This stipulation may be waived if the CPW determines that all or specific portions of the area no longer satisfy this functional capacity.</p>	X			X



Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-03</b>				
<b>Deer and Elk Summer Range</b>				
<p><u>Stipulation:</u> This area is located within deer and elk summer ranges, which due to limited extent, are considered critical habitat within appropriate CPW Game Management Units. This stipulation will not take effect until direct and indirect impacts to suitable summer range habitats exceed 10 percent of that available within the individual Game Management Units. When this threshold has been reached, no further development activity will be allowed from May 15 through August 15. (Development is allowed until 10 percent of individual GMU summer habitat has been affected, then additional development is allowed from August 16 through May 14).</p> <p><u>Area:</u> 376,400 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods of energetic challenge. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis indicates that the proposed action could be conditioned to have no additional influence on the utility or suitability of summer range habitats. An exception may also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to summer range function or habitat. Exceptions may also be granted for actions specifically intended to enhance the long term utility or availability of suitable habitat.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and timeframes of this stipulation if CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications may also be authorized if the proposed action could be conditioned to have no additional influence on the utility or suitability of summer range habitats.</p> <p><u>Waiver:</u> This stipulation may be waived if CPW determines that all or specific portions of the area no longer satisfy this functional capacity or that these summer ranges no longer merit critical habitat status. Waivers will also be applied to delineated summer range occurring below 7,350 feet in elevation.</p>	X			X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-04</b>				
<b>Pronghorn Production Area</b>				
<p><u>Stipulation</u>: This area is located within a pronghorn production area. No development activity is allowed within this area between May 1 and June 30. The CPW has indicated that these features exist on public lands within the White River Resource Area but have not yet delineated specific areas that will be subject to this timing restriction.</p> <p><u>Area</u>: CPW has indicated that these features exist on public lands within the White River Resource Area but have not yet delineated specific areas that will be subject to this timing restriction (0 acres).</p> <p><u>Purpose</u>: Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods of energetic challenge. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance.</p> <p><u>Exception</u>: Exception language will be developed in cooperation with the CPW after the affected areas have been delineated.</p> <p><u>Modification</u>: Modification language will be developed in cooperation with the CPW after the affected areas have been delineated.</p> <p><u>Waiver</u>: Waiver language will be developed in cooperation with the CPW after the affected areas have been delineated.</p>	X			X

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-05</b>				
<b>Big Game Severe Winter Range and Winter Concentration Areas</b>				
<p><u>Stipulation:</u> All defined big game severe winter range, severe winter range/winter concentration areas, and winter concentration areas within the WRFO would be subject to a timing limitation from December 1 through April 30 which would be applied through lease stipulations or as COAs that could extend up to 120 days. Timing limitations would typically be applied regardless of weather conditions (i.e., to address of chronic influences).</p> <p><u>Area:</u> 493,500 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).</p> <p>Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on winter ranges and 1,300 feet on summer ranges.</p> <p>10 percent of deer winter range.</p> <p>10 percent of deer severe winter range.</p> <p>10 percent of deer summer range.</p> <p>10 percent of deer winter concentration area.</p> <p>5 percent of deer severe winter range/winter concentration area.</p> <p>0 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).</p> <p>20 percent of deer winter range.</p> <p>20 percent of deer severe winter range.</p> <p>20 percent of deer summer range.</p> <p>20 percent of deer winter concentration area.</p> <p>10 percent of deer severe winter range/winter concentration area.</p>				

X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>5 percent of CPW-defined Restricted Development Areas.</p> <p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-06</b>				
<b>Big Game Winter Range</b>				
<p><u>Stipulation:</u> All defined big game winter range would be subject to deferrals of up to 90 days within the period of December 1 through April 30 in stratified zones of seasonal use (refined set of seasonal use timeframes developed in coordination with CPW). Timing limitations would typically be applied regardless of weather conditions (i.e., to address of chronic influences).</p> <p><u>Area:</u> 847,200 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).</p> <p>Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on winter ranges and 1,300 feet on summer ranges.</p> <p>10 percent of deer winter range.</p> <p>10 percent of deer severe winter range.</p> <p>10 percent of deer summer range.</p> <p>10 percent of deer winter concentration area.</p> <p>5 percent of deer severe winter range/winter concentration area.</p> <p>0 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).</p> <p>20 percent of deer winter range.</p> <p>20 percent of deer severe winter range.</p> <p>20 percent of deer summer range.</p> <p>20 percent of deer winter concentration area.</p> <p>10 percent of deer severe winter range/winter concentration area.</p>				

X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>5 percent of CPW-defined Restricted Development Areas.</p> <p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-07</b>				
<b>Big Game Summer Range</b>				
<p><u>Stipulation:</u> All defined big game summer range areas within the WRFO would be subject to a timing limitation from May 15 through August 15 which would be applied through lease stipulations or as COAs that could extend up to 120 days.</p> <p><u>Area:</u> 437,900 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).</p> <p>Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on winter ranges and 1,312 feet on summer ranges.</p> <p>10 percent of deer winter range.</p> <p>10 percent of deer severe winter range.</p> <p>10 percent of deer summer range.</p> <p>10 percent of deer winter concentration area.</p> <p>5 percent of deer severe winter range/winter concentration area.</p> <p>0 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).</p> <p>20 percent of deer winter range.</p> <p>20 percent of deer severe winter range.</p> <p>20 percent of deer summer range.</p> <p>20 percent of deer winter concentration area.</p> <p>10 percent of deer severe winter range/winter concentration area.</p> <p>5 percent of CPW-defined Restricted Development Areas.</p>				

X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				



Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-08</b>				
<b>Big Game Severe Winter Range and Winter Concentration Areas</b>				
<p><u>Stipulation:</u> All defined big game severe winter range and severe winter range/winter concentration areas within the WRFO would be subject to a timing limitation from January 1 through April 30 which would be applied through lease stipulations or as COAs that could extend up to 90 days. Timing limitations would typically be applied regardless of weather conditions (i.e., to address of chronic influences).</p> <p><u>Area:</u> 379,500 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).</p> <p>Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on all seasonal ranges.</p> <p>25 percent of deer winter range.</p> <p>25 percent of deer severe winter range.</p> <p>25 percent of deer summer range.</p> <p>25 percent of deer winter concentration area.</p> <p>10 percent of deer severe winter range/winter concentration area.</p> <p>5 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).</p> <p>25 percent of deer winter range.</p> <p>25 percent of deer severe winter range.</p> <p>25 percent of deer summer range.</p> <p>25 percent of deer winter concentration area.</p> <p>20 percent of deer severe winter range/winter concentration area.</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>5 percent of CPW-defined Restricted Development Areas.</p> <p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-09</b>				
<b>Big Game Winter Ranges</b>				
<p><u>Stipulation:</u> All defined big game winter range and winter concentration areas would be subject to deferrals of up to 60 days within the period of January 1 through April 30 in stratified zones of seasonal use (refined set of seasonal use timeframes developed in coordination with CPW). Timing limitations would typically be applied regardless of weather conditions (i.e., to address of chronic influences).</p> <p><u>Area:</u> 961,200 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).</p> <p>Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on all seasonal ranges.</p> <p>25 percent of deer winter range.</p> <p>25 percent of deer severe winter range.</p> <p>25 percent of deer summer range.</p> <p>25 percent of deer winter concentration area.</p> <p>10 percent of deer severe winter range/winter concentration area.</p> <p>5 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).</p> <p>25 percent of deer winter range.</p> <p>25 percent of deer severe winter range.</p> <p>25 percent of deer summer range.</p> <p>25 percent of deer winter concentration area.</p> <p>20 percent of deer severe winter range/winter concentration area.</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>5 percent of CPW-defined Restricted Development Areas.</p> <p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-10</b>				
<b>Big Game Summer Range</b>				
<p><u>Stipulation:</u> All defined big game summer range areas within the WRFO would be subject to a timing limitation from May 15 through August 15 which would be applied through lease stipulations or as COAs that could extend up to 90 days.</p> <p><u>Area:</u> 437,900 acres</p> <p><u>Purpose:</u> Timing limitations are intended to reduce the intensity, frequency, and extent of disturbances imposed on animals occupying important seasonal habitats during periods when animals are physiologically or energetically challenged. The behavioral response of animals exposed to these disturbances generally elevates energetic demands (e.g., avoidance movements, elevated metabolism) or reduces foraging efficiency (e.g., disuse of available resources, reduced foraging efficiency) which suppresses animal fitness or reproductive performance. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby reduce the extent of seasonal ranges subject to cumulative and chronic adverse behavioral effects (i.e., harassment, avoidance) attributable to oil and gas development.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: 1) an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity, 2) the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset anticipated impacts to big game seasonal range function or utility, 3) an agreement can be reached whereby a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions, 4) for actions intended to enhance the long term utility or availability of suitable habitat, or 5) clustered development remaining within the following acute and collective thresholds (evaluated by total leaseholdings within a GMU).  Acute Thresholds: The area of acute effects would be defined by the physical footprint of those concentrated, intensive activities associated with, for example, pad and pipeline construction and well drilling and completion operations buffered by 660 feet on all seasonal ranges.  25 percent of deer winter range.  25 percent of deer severe winter range.  25 percent of deer summer range.  25 percent of deer winter concentration area.  10 percent of deer severe winter range/winter concentration area.  5 percent of CPW-defined Restricted Development Areas.</p> <p>Collective Thresholds: The area of collective effects would include the area of acute effects in addition to all residual and incomplete lease development activities buffered as above, including but not limited to: access corridors, multiple well pads awaiting further drilling or not meeting interim reclamation success criteria, linear ROWs that support vehicle traffic after final reclamation, and facilities receiving frequent visitation (i.e., an average greater than seven vehicle trips per pad per week).  25 percent of deer winter range.  25 percent of deer severe winter range.  25 percent of deer summer range.  25 percent of deer winter concentration area.  20 percent of deer severe winter range/winter concentration area.  5 percent of CPW-defined Restricted Development Areas.</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>The area of acute effects would be exempt from big game seasonal timing limitations as long as lease development activities are managed within the thresholds for collective and acute effects. Minor work involving lower intensity activity (e.g., installation of production facilities, reclamation) within the area of remaining collective effects would generally be subject to timing limitations. Construction activity that is unrelated to the exercise of lease rights would continue to be subject to timing limitations as established above. Development activities that may affect adjoining leaseholders' acreage would be assessed against the proponent's threshold calculation. Access or other features and facilities used in common would be prorated by operator.</p> <p>Adverse effects that exceed either the acute or collective threshold would nullify the timing limitation exemptions and subject all leaseholding development to timing limitations as established above.</p> <p>Threshold limits could be incrementally adjusted by BLM, in coordination with CPW, based on animal response or the influence of compensatory mitigation in meeting long-term population objectives, as determined through monitoring.</p> <p><u>Modification:</u> The Authorized Officer may modify the size and time frames of this stipulation if: 1) CPW monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation, 2) the proposed action could be conditioned so as not to interfere with critical habitat function or compromise animal condition, 3) the proponent, BLM, and CPW agree to compensation that satisfactorily offsets detrimental impacts to big game production or habitat condition, or 4) an agreement can be reached where by a COGCC wildlife mitigation plan can be accommodated consistent with established RMP objectives and decisions.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the lease area is no longer utilized for, or capable of serving as, seasonal habitat for big game.</p>				

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-11</b>				
<b>Raptor Nests (Other than Special Status Species)</b>				
<p><u>Stipulation:</u> No development activities are allowed within 0.25 mile of identified raptor nest sites from February 1 through August 15, or until fledgling and dispersal of young. (Development allowed from August 16 through January 31).</p> <p><u>Area:</u> 77,800 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Eagle Protection Act or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Field Office perspective.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if documentation shows the nest site has remained unoccupied for a minimum of 3 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>	X			

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-12</b>				
<b>Nocturnal Raptor Nests (Owls except for Burrowing Owls)</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would not be allowed within 0.25 mile of active nest sites of northern saw-whet, flammulated, pygmy, long-eared, or great-horned owls during the period from nest territory establishment to dispersal of young from nest (within the period from February 1 through August 31).</p> <p><u>Area:</u> 259,400 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception to the TL can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year. An exception may be granted to these dates by the Authorized Officer, consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the TL dates or buffer distances if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>		X		



Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-13</b>				
<b>Diurnal Raptor Nests</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would not be allowed within 0.5 mile of active nest sites of Cooper's, sharp-shinned, red-tailed, and Swainson's hawks; northern harrier; prairie falcon; golden eagle, and osprey during the period from nest territory establishment to dispersal of young from nest (within the period from February 1 through August 31).</p> <p><u>Area:</u> 259,400 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception to the TL can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year. An exception may be granted to these dates by the Authorized Officer, consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the TL dates or buffer distances if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>		X		

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-14</b>				
<b>Raptor Nests (Other than Special Status Species, Golden Eagle, and Prairie Falcon)</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would not be allowed within 0.25 mile of active nest sites of those raptors that are not considered special-status during the period from nest territory establishment to dispersal of young from nest (within a period from February 1 through August 31).</p> <p><u>Area:</u> 80,100 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception to the TL can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year. An exception may be granted to these dates by the Authorized Officer, consistent with policies derived from federal administration of the Migratory Bird Treaty Act.</p> <p><u>Modification:</u> The Authorized Officer may modify the TL dates or buffer distances if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of site occupation within the lease area in the long term.</p>			X	

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-15</b>				
<b>Raptor Nests (Other than Special Status Species)</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.25 mile of identified raptor nest sites from February 1 through August 15, or until fledgling and dispersal of young. (Development allowed from August 16 through January 31).</p> <p><u>Area:</u> 77,800 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Eagle Protection Act or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.</p> <p><u>Modification:</u> The Authorized Officer may modify the size or the timeframes of the TL area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to interfere with adult attendance and visitation of the nest site, jeopardize survival of the eggs or nestlings, or otherwise impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Field Office perspective.</p> <p><u>Waiver:</u> A waiver may be granted by the Authorized Officer if documentation shows the nest site has remained unoccupied for a minimum of 3 years; or that the site conditions, including surrounding nest habitat, have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.</p>				X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-16</b>				
<b>Sage-Grouse Winter Concentration Areas</b>				
<p><u>Stipulation</u>: This area encompasses sagebrush habitats that are occupied by wintering concentrations of grouse, or represent the only habitats that remain available for use during periods of heavy snowpack. No development activity will be allowed between December 16 and March 15.</p> <p><u>Area</u>: CPW has indicated that these features exist on public lands within the WRFO Planning Area but have not yet delineated specific areas that will be subject to this timing restriction.</p> <p><u>Purpose</u>: To prevent disturbances to wintering sage-grouse that may elevate energetic demands or displace birds from favored forage and cover areas.</p> <p><u>Exception</u>: Specific exception language will be developed in cooperation with CPW after the affected areas have been delineated.</p> <p><u>Modification</u>: Specific modification language will be developed in cooperation with CPW after the affected areas have been delineated.</p> <p><u>Waiver</u>: Specific waiver language will be developed in cooperation with CPW after the affected areas have been delineated.</p>	X			

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-17</b>				
<b>Sage-Grouse Important Winter Use Areas</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would be prohibited from December 1 through March 15 in those areas most currently defined by CPW as serving important winter use functions for sage-grouse. This stipulation is intended to apply to construction, drilling, fracing, and completion activities, but may apply as well to operation, maintenance, and production activities that may disrupt winter use behaviors of sage-grouse.</p> <p><u>Area:</u> 260,300 acres</p> <p><u>Purpose:</u> To reduce disruption of important winter-use functions with the overall objective of expanding the distribution and promoting recovery of greater sage-grouse populations in the WRFO. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby confine and limit the extent of suitable habitat adversely influenced at any given time.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances:</p> <ol style="list-style-type: none"> <li>1) An environmental analysis and consultation with CPW indicates that the proposed action could be conditioned so as not to elevate energetic demands or displace birds from favored forage and cover area,</li> <li>2) The proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated losses of winter habitat,</li> <li>3) For actions designed to enhance the long term utility or availability of suitable winter habitat, or</li> <li>4) Clustered development so that the extent of sage-grouse habitat subject to cumulative adverse habitat and behavioral effects (defined below) attributable to oil and gas development would not exceed any of the following thresholds: <ol style="list-style-type: none"> <li>a) 10 percent of occupied habitat mapped as showing evidence of occupation in last 5 years within 4 miles of active or inactive leks (subject to concurrence of CPW),</li> <li>b) 20 percent of sage-steppe communities used solely for winter functions or occupied habitat greater than 4 miles from an active or inactive lek, and</li> <li>c) 25 percent of suitable but unoccupied habitat within 4 miles of an active or inactive lek.</li> </ol> </li> </ol> <p>The extent of adverse behavioral effects is defined by collective development activity buffered by 660 feet, in addition to any habitat parcels that become physically or behaviorally isolated by development features and are unavailable for effective use by sage-grouse (e.g., impediments to movement and use). Development activity includes, but is not limited to: construction, drilling, and completion operations; trunk and gathering pipeline construction and reclamation; access roads; wells receiving frequent visitation (i.e., average of more than seven vehicle trips per pad per week); and well pads not fully developed or reclaimed to established WRFO reclamation standards (interim or final, as appropriate).</p> <p>Reclaimed habitat that does not meet minimum functional habitat properties would be assessed against the threshold. Reclamation success on sage-grouse habitats would be contingent on evidence of successful establishment of desired sagebrush forms on disturbed acreage or achieving minimum functional capacity to serve sage-grouse cover and forage needs. Reclamation assessments would consider site capability and seasonal habitat use, and may allow for surrogate (e.g., herbaceous) forms of cover, where appropriate, per Appendix A, “Structural Habitat Guidelines” from Colorado Greater Sage-grouse Conservation Plan. (Note: Sage-grouse thresholds would be considered separately but would also be integral with more expansive big game summer range thresholds).</p> <p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if site-specific information and ensuing environmental analysis indicates that the</p>				

X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>proposed action could be conditioned or conducted so as not to adversely affect the condition or distribution of wintering birds, winter use behaviors, or sustained fidelity to, and occupation of birds within the area influenced by development activity. A modification may also be granted if the proponent, BLM, CPW, and other appropriate regulatory entities, devise a mutually acceptable compensation or operating plan that would satisfactorily offset or reduce the anticipated loss of winter use habitat or activities. The BLM would encourage the voluntary application of this strategy to private holdings. Acreage on fee land holdings below the occupied habitat threshold that are considered by CPW to be of comparable or higher sage-grouse value could be substituted for federally administered acreage with the approval of the WRFO Authorized Officer</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if BLM in cooperation with the CPW and other appropriate regulatory entities determine that the described lands are incapable of serving the long term requirements of sage-grouse winter habitat and that these ranges no longer warrant current or future consideration as components of sage-grouse habitat.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-18</b>				
<b>Sage-Grouse Important Winter Use Areas</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would be prohibited from January 1 through March 15 in those areas most currently defined by CPW as serving important winter use functions for sage-grouse. This stipulation is intended to apply to construction, drilling, fracing, and completion activities, but may apply as well to operation, maintenance, and production activities that may disrupt winter use behaviors of sage-grouse.</p> <p><u>Area:</u> 260,300 acres</p> <p><u>Purpose:</u> To reduce disruption of important winter-use functions with the overall objective of expanding the distribution and promoting recovery of greater sage-grouse populations in the WRFO. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby confine and limit the extent of suitable habitat adversely influenced at any given time.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances: an environmental analysis and consultation with CPW indicates that the proposed action could be conditioned so as not to elevate energetic demands or displace birds from favored forage and cover area,</p> <ol style="list-style-type: none"> <li>1) The proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated losses of winter habitat,</li> <li>2) For actions designed to enhance the long term utility or availability of suitable winter habitat, or</li> <li>3) Clustered development so that the extent of sage-grouse habitat subject to cumulative adverse habitat and behavioral effects (defined below) attributable to oil and gas development would not exceed any of the following thresholds: <ol style="list-style-type: none"> <li>a) 20 percent of occupied habitat mapped as showing evidence of occupation in last 5 years within 4 miles of active or inactive leks (subject to concurrence of CPW),</li> <li>b) 25 percent of occupied habitat greater than 4 miles from an active or inactive lek, and</li> <li>c) 25 percent of suitable but unoccupied habitat within 4 miles of an active or inactive lek.</li> </ol> </li> </ol> <p>The extent of adverse behavioral effects is defined by collective development activity buffered by 330 feet, in addition to any habitat parcels that become physically or behaviorally isolated by development features and are unavailable for effective use by sage-grouse (e.g., impediments to movement and use). Development activity includes, but is not limited to: construction, drilling, and completion operations; trunk and gathering pipeline construction and reclamation; access roads; wells receiving frequent visitation (i.e., average of more than seven vehicle trips per pad per week); and well pads not fully developed or reclaimed to established WRFO reclamation standards (interim or final, as appropriate).</p> <p>Reclaimed habitat that does not meet minimum functional habitat properties would be assessed against the threshold. Reclamation success on sage-grouse habitats would be contingent on evidence of successful establishment of desired sagebrush forms on disturbed acreage or achieving minimum functional capacity to serve sage-grouse cover and forage needs. Reclamation assessments would consider site capability and seasonal habitat use, and may allow for surrogate (e.g. herbaceous) forms of cover, where appropriate, per Appendix A, “Structural Habitat Guidelines” from Colorado Greater Sage-grouse Conservation Plan. (Note: Sage-grouse thresholds would be considered separately but would also be integral with more expansive big game summer range thresholds).</p> <p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if site-specific information and ensuing environmental analysis indicates that the proposed action could be conditioned or conducted so as not to adversely affect the condition</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p>or distribution of wintering birds, winter use behaviors, or sustained fidelity to, and occupation of birds within, the area influenced by development activity. A modification may also be granted if the proponent, BLM, CPW, and other appropriate regulatory entities, devise a mutually acceptable compensation or operating plan that would satisfactorily offset or reduce the anticipated loss of winter use habitat or activities. The BLM would encourage the voluntary application of this strategy to private holdings. Acreage on fee land holdings below the occupied habitat threshold that are considered by CPW to be of comparable or higher sage-grouse value could be substituted for federally administered acreage with the approval of the WRFO Authorized Officer.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if BLM in cooperation with the CPW and other appropriate regulatory entities determine that the described lands are incapable of serving the long term requirements of sage-grouse winter habitat and that these ranges no longer warrant current or future consideration as components of sage-grouse habitat.</p>				



**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-19</b>				
<b>Sage-Grouse Important Winter Use Areas</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would be prohibited from January 15 through March 15 in winter concentration areas as defined by CPW.</p> <p><u>Area:</u> 260,300 acres</p> <p><u>Purpose:</u> To prevent disturbances to wintering sage-grouse that may elevate energetic demands or displace birds from favored forage and cover areas.</p> <p>To prevent disruptions of nesting and early-brooding sage-grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis and coordination with CPW indicate that the proposed action could be conditioned so as not to adversely affect breeding behavior, nest attendance, egg/chick survival, or nesting success, or winter distribution and survival. An exception could also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated loss of nesting habitat or nesting activities, or winter habitat or overwintering activities. Actions designed to enhance the long term utility or availability of suitable nest or winter habitat may be excepted.</p> <p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if an environmental analysis indicates that the proposed action could be conditioned so as not to adversely affect winter distribution or survival.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the described lands are incapable of serving the long term requirements of sage-grouse winter habitat and that these ranges no longer warrant consideration as components of sage-grouse wintering habitat.</p>				X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-20</b>				
<b>Sage-Grouse Nesting Habitat</b>				
<p><u>Stipulation:</u> This area encompasses suitable sage-grouse nesting habitat associated with individual leks. This stipulation will not take effect until direct and indirect impacts to suitable nesting cover exceeds 10 percent of the habitat available within 2 miles of identified leks. Further development, after this threshold has been exceeded, will not be allowed from April 15 through July 7. (Development can occur until 10 percent of the habitat associated with a lek is impacted, from then on, additional activity can occur from July 8 through April 14.)</p> <p><u>Area:</u> 152,500 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting and early-brooding sage-grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis and consultation with CPW indicates that the proposed action could be conditioned so as not to affect nest attendance, egg/chick survival, or nesting success. An exception could also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated losses of nesting habitat or nesting activities. Actions designed to enhance the long term utility or availability of suitable nest habitat may be excepted.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the TL area if an environmental analysis indicates that the proposed action could be conditioned so as not to affect nest attendance, egg/chick survival, or nesting success. Timeframes may be modified if operations could be conditioned to allow a minimum of 70 percent of nesting attempts to progress through hatch.</p> <p><u>Waiver:</u> This stipulation may be waived if CPW determines that the described lands are incapable of serving the long term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat.</p>	X			

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-21</b>				
<b>Sage-Grouse Nesting Habitat</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would be prohibited from April 1 through July 15 in suitable sage-grouse nesting habitat within a 4-mile radius of active and inactive leks or mapped habitat greater than 4 miles from a lek that has supported nest or early brood functions within the previous 5 years. This stipulation is intended to apply to construction, drilling, fracing, and completion activities, but may apply as well to operation, maintenance, and production activities that may disrupt reproductive activities of sage-grouse.</p> <p><u>Area:</u> 152,500 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting and early-brooding sage-grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young. The overall objective is to expand the distribution of and promote the recovery of greater sage-grouse populations in the WRFO. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby confine and limit the extent of suitable habitat adversely influenced at any given time.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances:</p> <ol style="list-style-type: none"> <li>1) An environmental analysis and consultation with CPW indicates that the proposed action could be conditioned so as not to affect nest attendance, egg/chick survival, or nesting success,</li> <li>2) The proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated losses of nesting habitat or nesting activity,</li> <li>3) For actions designed to enhance the long term utility or availability of suitable nesting habitat, or</li> <li>4) Clustered development so that the extent of sage-grouse habitat subject to cumulative adverse habitat and behavioral effects (defined below) attributable to oil and gas development would not exceed any of the following thresholds: <ol style="list-style-type: none"> <li>a) 10 percent of occupied habitat mapped as showing evidence of occupation in last 5 years within 4 miles of active or inactive leks (subject to concurrence of CPW),</li> <li>b) 20 percent of sage-steppe communities used solely for winter functions or occupied habitat greater than 4 miles from an active or inactive lek, and</li> <li>c) 25 percent of suitable but unoccupied habitat within 4 miles of an active or inactive lek.</li> </ol> </li> </ol> <p>The extent of adverse behavioral effects is defined by collective development activity buffered by 660 feet, in addition to any habitat parcels that become physically or behaviorally isolated by development features and are unavailable for effective use by sage-grouse (e.g., impediments to movement and use). Development activity includes, but is not limited to: construction, drilling, and completion operations; trunk and gathering pipeline construction and reclamation; access roads; wells receiving frequent visitation (i.e., average of more than seven vehicle trips per pad per week); and well pads not fully developed or reclaimed to established WRFO reclamation standards (interim or final, as appropriate).</p> <p>Reclaimed habitat that does not meet minimum functional habitat properties would be assessed against the threshold. Reclamation success on sage-grouse habitats would be contingent on evidence of successful establishment of desired sagebrush forms on disturbed acreage or achieving minimum functional capacity to serve sage-grouse cover and forage needs. Reclamation assessments would consider site capability and seasonal habitat use, and may allow for surrogate (e.g. herbaceous) forms of cover, where appropriate, per Appendix A, “Structural Habitat Guidelines” from Colorado Greater Sage-grouse Conservation Plan. (Note: Sage-grouse thresholds would be considered separately but would also be integral with more expansive big game summer range thresholds).</p>				

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if site-specific information and ensuing environmental analysis indicates that the proposed action could be conditioned or conducted so as not to adversely affect nest attendance, egg/chick survival, nesting success, or sustained fidelity to, and occupation of birds within, the area influenced by development activity. Nesting timeframes may be adjusted if appropriate monitoring data supports the primary objective of allowing 90 percent of initial nesting attempts, on average, to progress through hatch. A modification may also be granted if the proponent, BLM, CPW, and other appropriate regulatory entities, devise a mutually acceptable compensation or operating plan that would satisfactorily offset or reduce the anticipated loss of nesting habitat or activities. The BLM would encourage the voluntary application of this strategy to private holdings. Acreage on fee land holdings below the occupied habitat threshold that are considered by CPW to be of comparable or higher sage-grouse value could be substituted for federally administered acreage with the approval of the WRFO Authorized Officer.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if BLM in cooperation with the CPW and other appropriate regulatory entities determine that the described lands are incapable of serving the long term requirements of sage-grouse nesting habitat and that these ranges no longer warrant current or future consideration as components of sage-grouse habitat.</p>				

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-22</b>				
<b>Sage-Grouse Nesting Habitat</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would be prohibited from April 15 through July 7 in suitable sage-grouse nesting habitat within a 4-mile radius of active and inactive leks or mapped habitat greater than 4 miles from a lek that has supported nest or early brood functions within the previous 5 years. This stipulation is intended to apply to construction, drilling, fracing, and completion activities, but may apply as well to operation, maintenance, and production activities that may disrupt reproductive activities of sage-grouse.</p> <p><u>Area:</u> 152,500 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting and early-brooding sage-grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young. The overall objective is to expand the distribution of and promote the recovery of greater sage-grouse populations in the WRFO. This stipulation includes an exception criterion that is intended to promote the clustering of development activity and thereby confine and limit the extent of suitable habitat adversely influenced at any given time.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception under the following circumstances:</p> <ol style="list-style-type: none"> <li>1) An environmental analysis and consultation with CPW indicates that the proposed action could be conditioned so as not to affect nest attendance, egg/chick survival, or nesting success;</li> <li>2) The proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated losses of nesting habitat or nesting activity;</li> <li>3) For actions designed to enhance the long term utility or availability of suitable nesting habitat; or</li> <li>4) Clustered development so that the extent of sage-grouse habitat subject to cumulative adverse habitat and behavioral effects (defined below) attributable to oil and gas development would not exceed any of the following thresholds: <ol style="list-style-type: none"> <li>a) 20 percent of occupied habitat mapped as showing evidence of occupation in last 5 years within 4 miles of active or inactive leks (subject to concurrence of CPW),</li> <li>b) 25 percent of occupied habitat greater than 4 miles from an active or inactive lek, and</li> <li>c) 25 percent of suitable but unoccupied habitat within 4 miles of an active or inactive lek.</li> </ol> </li> </ol> <p>The extent of adverse behavioral effects is defined by collective development activity buffered by 330 feet, in addition to any habitat parcels that become physically or behaviorally isolated by development features and are unavailable for effective use by sage-grouse (e.g., impediments to movement and use). Development activity includes, but is not limited to: construction, drilling, and completion operations; trunk and gathering pipeline construction and reclamation; access roads; wells receiving frequent visitation (i.e., average of more than seven vehicle trips per pad per week); and well pads not fully developed or reclaimed to established WRFO reclamation standards (interim or final, as appropriate).</p> <p>Reclaimed habitat that does not meet minimum functional habitat properties would be assessed against the threshold. Reclamation success on sage-grouse habitats would be contingent on evidence of successful establishment of desired sagebrush forms on disturbed acreage or achieving minimum functional capacity to serve sage-grouse cover and forage needs based on site capability and seasonal habitat use and allowing, where appropriate, for surrogate (e.g., herbaceous) forms of cover as per Appendix A, “Structural Habitat Guidelines” from Colorado Greater Sage-grouse Conservation Plan. (Note: Sage-grouse thresholds would be considered separately but would also be integral with more expansive big game summer range thresholds).</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if site-specific information and ensuing environmental analysis indicates that the proposed action could be conditioned or conducted so as not to adversely affect the condition or distribution of wintering birds, winter use behaviors, or sustained fidelity and occupation of birds to area influenced by development activity. With the primary objective of allowing for 70 percent of initial nesting attempts to progress through hatch, timeframes may also be adjusted in nesting habitat as supported by appropriate monitoring data. A modification may also be granted if the proponent, BLM, CPW, and other appropriate regulatory entities, devise a mutually acceptable compensation or operating plan that would satisfactorily offset or reduce the anticipated loss of winter use habitat or activities. The BLM would encourage the voluntary application of this strategy to private holdings. Acreage on fee land holdings below the occupied habitat threshold that are considered by CPW to be of comparable or higher sage-grouse value could be substituted for federally administered acreage with the approval of the WRFO Authorized Officer.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if BLM in cooperation with the CPW and other appropriate regulatory entities determine that the described lands are incapable of serving the long term requirements of sage-grouse winter habitat and that these ranges no longer warrant current or future consideration as components of sage-grouse habitat.</p>				

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-23</b>				
<b>Sage-Grouse Nesting Habitat</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would be prohibited in suitable nesting/early brood habitat within 4 miles of an active lek from April 15 through June 15.</p> <p><u>Area:</u> 152,500 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting and early-brooding sage-grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis and coordination with the CPW indicate that the proposed action could be conditioned so as not to adversely affect breeding behavior, nest attendance, egg/chick survival, nesting success, or survival. An exception could also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated loss of nesting habitat or nesting activities. Actions designed to enhance the long term utility or availability of suitable nest habitat may be excepted.</p> <p><u>Modification:</u> The Authorized Officer may modify the size or dates of the timing limitation area if an environmental analysis indicates that the proposed action could be conditioned so as not to adversely affect nest attendance, egg/chick survival, nesting success, or survival. With the primary objective of allowing for 50 percent of initial nesting attempts to progress through hatch, timeframes may also be adjusted in nesting habitat as supported by appropriate monitoring data.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if CPW determines that the described lands are incapable of serving the long term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat.</p>				X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-24</b>				
<b>Sharp-tailed Grouse Nesting Habitat</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities would be prohibited within 1.25 miles of active leks or mapped nesting habitat for Columbian sharp-tailed grouse from March 1 through July 30.</p> <p><u>Area:</u> Colorado Parks and Wildlife has indicated that these features exist on public lands within the White River Field Office but have not yet delineated specific areas that will be subject to this timing restriction. (~1500 acres)</p> <p><u>Purpose:</u> To prevent disruptions of nesting and early-brooding sharp-tailed grouse that may result in absences of the brooding hen sufficient to cause direct or indirect mortality of the eggs or young.</p> <p><u>Exception:</u> The Authorized Officer may grant an exception if an environmental analysis and coordination with CPW indicate that the proposed action could be conditioned so as not to affect breeding behavior, nest attendance, egg/chick survival, or nesting success. An exception could also be granted if the proponent, BLM, and CPW negotiate compensation that would satisfactorily offset the anticipated loss of nesting habitat or nesting activities. Actions designed to enhance the long term utility or availability of suitable nest habitat may be excepted.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the timing limitation area if an environmental analysis indicates that the proposed action could be conditioned so as not to affect nest attendance, egg/chick survival, or nesting success. With the primary objective of allowing for 90 percent of initial nesting attempts to progress through hatch, timeframes may also be adjusted in nesting habitat as supported by appropriate monitoring data.</p> <p><u>Waiver:</u> This stipulation may be waived if CPW determines that the described lands are incapable of serving the long term requirements of sharp-tailed nesting habitat and that these ranges no longer warrant consideration as components of sharp-tailed grouse nesting habitat.</p>		X	X	X
<b>TL-25</b>				
<b>Migratory Birds</b>				
<p><u>Stipulation:</u> Vegetation clearing, facility construction, and concentrated operational activities (e.g., drilling, completion, and utility installation) would not be allowed during the core migratory bird nesting season (i.e., May 15 to July 15).</p> <p><u>Area:</u> WRFO boundary</p> <p><u>Purpose:</u> To prevent the inadvertent disruption of migratory bird reproductive efforts that results in mortality of eggs, nestlings, or fledglings.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity would be conducted or conditioned so as not to disrupt ongoing reproductive efforts that would result in mortality of eggs, nestlings, or dependent fledglings.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation dates or stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conducted or conditioned so as not to disrupt ongoing reproductive efforts that would result in mortality of eggs, nestlings, or dependent fledglings. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to breeding activities.</p> <p><u>Waiver:</u> A waiver may be granted if habitat conditions are determined to be permanently incapable of supporting reproductive activities.</p>		X		



Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-26</b>				
<b>Migratory Birds</b>				
<p><u>Stipulation:</u> Vegetation clearing, facility construction, and concentrated operational activities (e.g., drilling, completion, and utility installation) would not be allowed in higher value habitats during the core migratory bird nesting season (i.e., May 15 to July 15). Higher value habitats will be determined during on-site inspections and include the following: mature arboreal oakbrush, riparian (all elevations), spruce-fir (including Douglas-fir), aspen, and mature stands of pinyon-juniper. Disruptions to nesting activities of migratory birds in remaining habitats, particularly those with management priority (e.g., BLM-sensitive, FWS Birds of Conservation Concern, Colorado Partners in Flight high priority), would be avoided or minimized as much as practicable through the development of site-specific conditions of approval.</p> <p><u>Area:</u> 818,100 acres</p> <p><u>Purpose:</u> To reduce or minimize, as much as practicable, the inadvertent disruption of migratory bird reproductive efforts that results in mortality of eggs, nestlings, or fledglings.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity would be conducted or conditioned so as to substantially reduce or minimize disruption of ongoing reproductive efforts that would result in mortality of eggs, nestlings, or dependent fledglings.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation dates or stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conducted or conditioned so as to substantially reduce or minimize disruption of ongoing reproductive efforts that would result in mortality of eggs, nestlings, or dependent fledglings. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to breeding activities.</p> <p><u>Waiver:</u> A waiver may be granted if habitat conditions are determined to be permanently incapable of supporting reproductive activities.</p>			X	

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-27</b>				
<b>Special Status Raptor Nests (Except Bald Eagles and Ferruginous Hawks)</b>				
<p><u>Stipulation:</u> This area encompasses the nests of listed, proposed, or candidate T/E and BLM sensitive raptors other than bald eagles and ferruginous hawks. No development activities are allowed within 0.5 mile of identified nest sites from February 1 through August 15, or until fledgling and dispersal of young. (Development activities allowed from August 16 through January 31.)</p> <p><u>Area:</u> 19,800 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year. Section 7 consultation procedures would be instituted in those instances where an exception is being considered that involves a federally listed or proposed species.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If a species status is downgraded, or if a species is delisted, the size of the TL area may be reduced. Section 7 consultation procedures would be instituted in those instances where a modification is being considered that involves a federally listed or proposed species.</p> <p><u>Waiver:</u> A waiver may be granted if the species becomes extinct or there is no reasonable likelihood of site occupation over a minimum 10 year period. Section 7 consultation procedures would be instituted in those instances where a waiver is being considered that involves a federally listed or proposed species.</p>	X			X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-28</b>				
<b>Bald Eagle Nests</b>				
<p><u>Stipulation:</u> This area encompasses bald eagle nests. No development is allowed within 0.5 mile of identified nests from December 15 through July 15, or until fledgling and dispersal of young. (Development activities allowed from July 16 through December 14.)</p> <p><u>Area:</u> 370 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. If the species status is downgraded, or if the species is delisted, the size of the TL area may be reduced.</p> <p><u>Waivers:</u> A waiver may be granted if the nest has remained unoccupied for a minimum of three years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>	X			X

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-29</b>				
<b>Ferruginous Hawk Nests</b>				
<p><u>Stipulation:</u> This area encompasses the nests of ferruginous hawks which are candidates for listing under the Endangered Species Act. No development is allowed within one mile of identified nests from February 1 through August 15, or until fledgling and dispersal of young. (Development activities allowed from August 16 through January 31.)</p> <p><u>Area:</u> 70,200 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If the species status is downgraded, or if the species is delisted, the size of the TL area may be reduced.</p> <p><u>Waiver:</u> A waiver may be granted if the nest has remained unoccupied for a minimum of three years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>	X			X

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-30</b>				
<b>Bald Eagle Winter Roosts and Concentration Areas</b>				
<p><u>Stipulation:</u> This area encompasses bald eagle winter roosts and concentration areas. No development is allowed within 0.5 mile of identified sites from November 15 through April 15. (Development allowed from April 16 through November 14.)</p> <p><u>Area:</u> 2,800 acres</p> <p><u>Purpose:</u> To prevent disruption of eagles occupying winter roost and concentration areas and to decrease the likelihood that these areas are abandoned due to ongoing activity.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of ongoing roosting activities and/or short or long term adverse modification of suitable roost site characteristics. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of the site for current or subsequent roosting activities or occupancy. An exception may also be granted if forms of compensation are satisfactorily negotiated (through Section 7 Consultation) which fully offset losses associated with project implementation.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area or timeframes if an environmental analysis indicates that a portion of the area is nonessential to roost site function and utility, or that the proposed action could be conditioned so as not to impair the utility of the roost site for current or subsequent roosting activities or occupancy.</p> <p><u>Waiver:</u> A waiver may be granted if the species becomes extinct, the site has failed to support roosting activities over a minimum 3 year period, or if the site conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>	X			X
<b>TL-31</b>				
<b>Peregrine Falcon, Northern Goshawk, and Burrowing Owl Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified nests of peregrine falcon, northern goshawk, and burrowing owl from February 1 through August 15 or until fledging and dispersal of young.</p> <p><u>Area:</u> 79,300 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-32</b>				
<b>Bald Eagle Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified nests of bald eagles from November 15 through July 31 or until fledging and dispersal of young.</p> <p><u>Area:</u> 370 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>TL-33</b>				
<b>Bald Eagle Critical Night Roosts</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified bald eagle critical night roosts from November 15 through March 15.</p> <p><u>Area:</u> 2,800 acres</p> <p><u>Purpose:</u> To prevent disruptions to bald eagles that may result in eagle injury or abandonment of the site.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>TL-34</b>				
<b>Bald Eagle Winter Hunting Perches</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.25 mile of identified bald eagle winter hunting perches from November 15 through March 15.</p> <p><u>Area:</u> 2,800 acres</p> <p><u>Purpose:</u> To prevent disruptions to bald eagles that may elevate energetic demands or displace birds from favored forage areas.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		
<b>TL-35</b>				
<b>Ferruginous Hawk Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within one mile of identified nests of ferruginous hawks from February 1 through August 15 or until fledging and dispersal of young.</p> <p><u>Area:</u> 70,200 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> None.</p>		X		

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-36</b>				
<b>Special Status Raptor (Except Bald Eagles), Golden Eagle, and Prairie Falcon Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified nests of federal endangered, threatened, proposed, and candidate raptor species; Colorado state endangered, threatened, and special-status raptor species; or BLM sensitive raptor species from February 1 through August 15 or until fledging and dispersal of young.</p> <p><u>Area:</u> 79,300 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest site for current or subsequent nesting activity or occupancy. The Authorized Officer may grant an exception if a nest is unattended or remains unoccupied by May 15 of the project year. An exception may also be granted to this timing limitation by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act. Section 7 consultation procedures would be instituted in those instances where an exception is being considered that involves a federally listed or proposed species.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation dates or buffer distances if an environmental analysis indicates that a portion of the area is nonessential to the utility or function of the feature, or that the proposed action could be conditioned so as not to impair the utility of the site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected agencies or interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of five years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period. Section 7 consultation procedures would be instituted in those instances where a modification is being considered that involves a federally listed or proposed species.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of further nesting activity within the lease area. Section 7 consultation procedures would be instituted in those instances where a waiver is being considered that involves a federally listed or proposed species.</p>			X	

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-37</b>				
<b>Bald Eagle Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified nests of bald eagles from November 15 through July 31 or until fledging and dispersal of young.</p> <p><u>Area:</u> 370 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Authorized Officer may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. If the species status is downgraded, or if the species is delisted, the size of the TL area may be reduced.</p> <p><u>Waiver:</u> A waiver may be granted if the nest has remained unoccupied for a minimum of 5 years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>			X	
<b>TL-38</b>				
<b>Bald Eagle Critical Night Roosts</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.5 mile of identified bald eagle critical night roosts from November 15 through March 15.</p> <p><u>Area:</u> 2,800 acres</p> <p><u>Purpose:</u> To prevent disruptions to bald eagles that may result in eagle injury or abandonment of the site.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Eagle Protection Act or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of ongoing roosting activities and/or short or long term adverse modification of suitable roost site characteristics. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of the site for current or subsequent roosting activities or occupancy. An exception may also be granted if forms of compensation are satisfactorily negotiated which fully offset losses associated with project implementation.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area or timeframes if an environmental analysis indicates that a portion of the area is nonessential to roost site function and utility, or that the proposed action could be conditioned so as not to impair the utility of the roost site for current or subsequent roosting activities or occupancy.</p> <p><u>Waiver:</u> A waiver may be granted if the species becomes extinct, the site has failed to support roosting activities over a minimum 5 year period, or if the site conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>			X	



**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-39</b>				
<b>Bald Eagle Winter Hunting Perches</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within 0.25 mile of identified bald eagle winter hunting perches from November 15 through March 15.</p> <p><u>Area:</u> 2,800 acres</p> <p><u>Purpose:</u> To prevent disruptions to bald eagles that may elevate energetic demands or displace birds from favored forage areas.</p> <p><u>Exception:</u> An exception may be granted to these dates by the Authorized Officer, if authorization is obtained from the FWS (through applicable provisions of the Eagle Protection Act or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of ongoing perching activities and/or short or long term adverse modification of suitable winter hunting perch characteristics. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of the site for current or subsequent perching activities or occupancy. An exception may also be granted if forms of compensation are satisfactorily negotiated which fully offset losses associated with project implementation.</p> <p><u>Modification:</u> The Authorized Officer may modify the size of the stipulation area or timeframes if an environmental analysis indicates that a portion of the area is nonessential to perch site function and utility, or that the proposed action could be conditioned so as not to impair the utility of the perch site for current or subsequent perching activities or occupancy.</p> <p><u>Waiver:</u> A waiver may be granted if the species becomes extinct, the site has failed to support perching activities over a minimum 5 year period, or if the site conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10 year period.</p>			X	

Table A-3. Timing Limitation Stipulations

Stipulation	A	B	C	D
<b>TL-40</b>				
<b>Ferruginous Hawk Nests</b>				
<p><u>Stipulation:</u> Surface disturbing and disruptive activities would not be allowed within one mile of identified nests of ferruginous hawks from February 1 through August 15 or until fledging and dispersal of young.</p> <p><u>Area:</u> 79,300 acres</p> <p><u>Purpose:</u> To prevent disruptions of nesting raptors that may result in absences of adults sufficient to cause direct or indirect mortality of the eggs or young or the premature departure of young from the nest.</p> <p><u>Exception:</u> An exception can be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest site for current or subsequent nesting activity or occupancy. The Authorized Officer may grant an exception if a nest is unattended or remains unoccupied by May 15 of the project year. An exception may also be granted to this timing limitation by the Authorized Officer consistent with policies derived from federal administration of the Migratory Bird Treaty Act. Section 7 consultation procedures would be instituted in those instances where an exception is being considered that involves a federally listed or proposed species.</p> <p><u>Modification:</u> The Authorized Officer may modify the stipulation dates or buffer distances if an environmental analysis indicates that a portion of the area is nonessential to the utility or function of the feature, or that the proposed action could be conditioned so as not to impair the utility of the site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, BLM, and where necessary, other affected agencies or interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a regional perspective. A modification may be granted if the nest has remained unoccupied for a minimum of five years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.</p> <p>Section 7 consultation procedures would be instituted in those instances where a modification is being considered that involves a federally listed or proposed species.</p> <p><u>Waiver:</u> The Authorized Officer may grant a waiver if conditions have changed such that there is no reasonable likelihood of further nesting activity within the lease area. Section 7 consultation procedures would be instituted in those instances where a waiver is being considered that involves a federally listed or proposed species.</p>			X	
<b>TL-41</b>				
<b>Canada Lynx</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities that have the potential to disrupt the utility of habitat parcels suitable for Canada lynx denning functions would not be allowed from March 15 to July 15.</p> <p><u>Area:</u> 1,800 acres</p> <p><u>Purpose:</u> To maintain the integrity and utility of lynx denning habitat consistent with the Canada Lynx Conservation Assessment and Strategy guidelines.</p> <p><u>Exception:</u> None.</p> <p><u>Modification:</u> None.</p> <p><u>Waiver:</u> The Authorized Officer, in consultation with the FWS, may grant a waiver to this stipulation if site conditions have changed sufficient to preclude lynx occupation of the lynx analysis unit (LAU).</p>		X		

**Table A-3. Timing Limitation Stipulations**

Stipulation	A	B	C	D
<b>TL-42</b>				
<b>Canada Lynx</b>				
<p><u>Stipulation:</u> Surface-disturbing and disruptive activities that have the potential to reduce the utility of habitat parcels suitable for Canada lynx denning functions would not be allowed from March 15 to July 15.</p> <p><u>Area:</u> 1,800 acres</p> <p><u>Purpose:</u> To maintain the integrity and utility of lynx denning habitat consistent with the Canada Lynx Conservation Assessment and Strategy guidelines.</p> <p><u>Exception:</u> The Authorized Officer, in consultation with FWS, may grant an exception to this stipulation if an environmental analysis indicates that the proposed or conditioned activities would not affect the long term suitability or utility of lynx denning habitat within lynx analysis units (LAUs).</p> <p><u>Modification:</u> The Authorized Officer, in consultation with FWS, may modify the size of the stipulation area or time frames if an environmental analysis indicates that a portion of the area is nonessential to the function and utility of lynx denning habitat, or that the proposed action could be conditioned so as not to impair the utility of denning habitat for lynx use and occupancy.</p> <p><u>Waiver:</u> The Authorized Officer, in consultation with the FWS, may grant a waiver to this stipulation if site conditions have changed sufficient to preclude lynx occupation of the LAU.</p>			X	X

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## 5.0 Lease Notices Table

Table A-4. Lease Notices

Stipulation	A	B	C	D
<b>LN-01</b>				
<b>Designated Surface and Groundwater Source Water Protection Zones</b>				
<p><u>Lease Notice:</u> Development in designated surface and groundwater source water protection zones for public water supplies would require a plan that addresses drinking water sources. Mitigation measures that will be considered for inclusion in drinking water plans include, but are not limited to, the following: notification to the public water supply operator of the proposed development; use of closed loop drilling; pit lining requirements if pits are used; an emergency response program; and collection of baseline and long-term water quality data.</p> <p><u>Area:</u> White River Field Office</p>		X	X	
<b>LN-02</b>				
<b>Produced Water</b>				
<p><u>Lease Notice:</u> Evaporation would not be an acceptable disposal method for produced water from federal leases. Surface discharge of produced water would not be allowed. Injection of produced water from federal oil and gas leases would be required.</p> <p><u>Area:</u> White River Field Office</p>		X		
<b>LN-03</b>				
<b>Produced Water</b>				
<p><u>Lease Notice:</u> Evaporation facilities for produced water disposal would not be approved on public lands. Surface discharge of produced water would not be approved for new projects. Existing surface discharges, approved under previous land use plans or authorizations, would be allowed to continue as long as they do not change or exceed water volumes or water quality specified during approval.</p> <p><u>Area:</u> White River Field Office</p>			X	
<b>LN-04</b>				
<b>Produced Water</b>				
<p><u>Lease Notice:</u> Surface discharge of produced water that results in a conversion of ephemeral to perennial or intermittent stream systems would not be approved.</p> <p><u>Area:</u> White River Field Office</p>				X
<b>LN-05</b>				
<b>Sage-Grouse Habitat Features</b>				
<p><u>Lease Notice:</u> The BLM may impose management actions that mimic lease stipulations (i.e., &gt; 660-foot moves, &gt;60-day deferrals) on sage-grouse habitat features that are variable through time (e.g., leks), and/or may undergo distributional shifts through time (e.g., expansion onto restored ranges).</p> <p><u>Area:</u> White River Field Office</p>		X	X	
<b>LN-06</b>				
<b>Sage-Grouse Complex Key Habitat Areas</b>				
<p><u>Lease Notice:</u> An identified land base key to any given greater sage-grouse population subcomplex (defined by CPW) would be subject to additional conservation measures in an effort to retain an effective source population of sage-grouse in the subcomplex. These measures may include, but would not be limited to, well pad density limits, strict development schedules and timeframes, and facility siting that may involve moves of more than 660 feet.</p> <p><u>Area:</u> White River Field Office</p>		X	X	

**Table A-4. Lease Notices**

Stipulation	A	B	C	D
<b>LN-07</b>				
<b>Prairie Dog Towns</b>				
<p><u>Lease Notice:</u> Lands within this lease parcel involve prairie dog ecosystems that constitute potential habitat for wild or reintroduced populations of the federally endangered black-footed ferret. Conservation and recovery efforts for the black-footed ferret are authorized by the Endangered Species Act of 1973 (as amended). The successful lessee may be required to perform special conservation measures prior to and during lease development. These measures may include one or more of the following:</p> <ol style="list-style-type: none"> <li>1) Performing site-specific habitat analysis and/or participating in ferret surveys.</li> <li>2) Participating in the preparation of a surface use plan of operations with BLM, FWS, and CPW, which integrates and coordinates long term lease development with measures necessary to minimize adverse impacts to black-footed ferrets or their habitat.</li> <li>3) Abiding by special daily and seasonal activity restrictions on construction, drilling, product transport, and service activities.</li> <li>4) Incorporating special modifications to facility siting, design, construction, and operation.</li> <li>5) Providing in-kind compensation for habitat loss and/or displacement (e.g., special on-site rehabilitation/revegetation measures or off-site habitat enhancement).</li> </ol> <p><u>Area:</u> Mapped Prairie Dog Towns</p>	X			
<b>LN-08</b>				
<b>Prairie Dog Towns</b>				
<p><u>Lease Notice:</u> Lands within this lease parcel involve prairie dog ecosystems that constitute potential habitat for wild or reintroduced populations of the federally endangered black-footed ferret. Conservation and recovery efforts for the black-footed ferret are authorized by the Endangered Species Act of 1973 (as amended). The successful lessee may be required to perform special conservation measures prior to and during lease development. These measures may include one or more of the following:</p> <ol style="list-style-type: none"> <li>1) Participating in the preparation of a surface use plan of operations with BLM, FWS, and CPW, which integrates and coordinates long term lease development with measures necessary to minimize adverse impacts to black-footed ferrets or their habitat.</li> <li>2) Abiding by special daily and seasonal activity restrictions on construction, drilling, product transport, and service activities.</li> <li>3) Incorporating special modifications to facility siting, design, construction, and operation.</li> <li>4) Providing in-kind compensation for habitat loss and/or displacement (e.g., special on-site rehabilitation/revegetation measures or off-site habitat enhancement).</li> </ol> <p><u>Area:</u> Mapped Prairie Dog Towns</p>			X	

Table A-4. Lease Notices

Stipulation	A	B	C	D
<b>LN-09</b>				
<b>Endangered Species Act Section 7 Consultation</b>				
<p><u>Lease Notice:</u> The lease may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.</p> <p><u>Area:</u> White River Field Office</p>	X	X	X	X
<b>LN-10</b>				
<b>Wild Horse Habitat</b>				
<p><u>Lease Notice:</u> This lease parcel encompasses a portion of a wild horse herd management area. In order to protect wild horses within this area, intensive development activities may be delayed for a specified 60 day period within the spring foaling period between March 1 and June 15.</p> <p>The lessee may be required to perform special conservation measures within this area including:</p> <ol style="list-style-type: none"> <li>1) Habitat improvement projects in adjacent areas if development displaces wild horses from critical habitat.</li> <li>2) Disturbed watering areas would be replaced with an equal source of water, having equal utility.</li> <li>3) Activity/improvements would provide for unrestricted movement of wild horses between summer and winter ranges.</li> </ol> <p><u>Area:</u> Herd Management Areas</p>	X	X	X	X
<b>LN-11</b>				
<b>Cultural Resources</b>				
<p><u>Lease Notice:</u> Class III cultural resource inventory may be required prior to surface disturbing activities. Mitigation measures may be required to reduce the impacts of surface disturbances on the affected cultural resources. These mitigating measures may include, but are not limited to, relocation of roads, well pads and other facilities, evaluative testing, data recovery, and/or fencing. Mitigation may be required upon the discovery of any cultural resource. All cultural resource work must be performed by a BLM-permitted archaeologist. The BLM may charge Federal licensees and permittees project costs of preservation activities conducted under the National Historic Preservation Act as a condition to the issuance of such license or permit. [NHPA, as amended Section 110 (E) (g)].</p> <p><u>Area:</u> White River Field Office</p>		X	X	X

Table A-4. Lease Notices

Stipulation	A	B	C	D
<b>LN-12</b>				
<b>Paleontological Values</b>				
<p><u>Lease Notice:</u> This lease encompasses a PFYC 4 or PFYC 5 paleontological area and has the potential to contain important fossils. Prior to authorizing surface disturbing activities, the BLM will make a preliminary determination as to whether potential exists for the presence of fossil material. If potential exists for the presence of valuable fossils, the area will be required to have a Class I paleontological survey completed. Mapped fossil sites will be protected by applying the appropriate mitigation to the use authorization. Mitigation may involve the relocation of disturbance in excess of 660 feet, or excavation and recording of the fossil remains. Certain areas may require the presence of a qualified paleontologist to monitor operations during surface disturbing activities. The BLM will determine the disposition of any fossils discovered and excavated.</p> <p><u>Area:</u> Wasatch, Uinta, DeBeque, Upper Mesa Verde, Green River, and other formations containing scientifically significant fossil resources</p>	X			
<b>LN-13</b>				
<b>Paleontological Values</b>				
<p><u>Lease Notice:</u> An on-the-ground survey would be required prior to approval of any surface disturbing activities to avoid resource bearing strata for PFYC Class 4 and 5 formations. Mitigation may be required upon the discovery of any vertebrate fossil or other scientifically-important paleontological resource. Mitigation of scientifically important paleontological resources may include avoidance, monitoring, collection, excavation, or sampling. Mitigation of discovered scientifically important paleontological resources might require the relocation of the disturbance over 330 feet. This and any subsequent mitigation work shall be conducted by a BLM-permitted paleontologist. The lessee shall bear all costs for inventory and mitigation (WO IM-2009-011). Exceptions to the survey requirement in these areas could be granted in areas having vertical to near-vertical (i.e., unsafe) slopes, areas of soil development, and areas covered with much vegetation, as these areas would be unlikely to produce recoverable fossils. For larger projects, an on-the-ground survey sample may be required of some likely fossiliferous PFYC 3 areas.</p> <p><u>Area:</u> PFYC 5: Morrison and Wasatch Formations; PFYC 4: Chinle, Glen Canyon, Cedar Mountain, Mowry Shale, Parachute Creek and Douglas Creek Members of the Green River Formation, Browns Park Formation, Williams Fork Formation, Iles Formation, Mesaverde Group, and Uinta Formation. Formations or members of formations could be added or removed from this list as additional data become available.</p>		X	X	X
<b>LN-14</b>				
<b>Lands with Wilderness Characteristics</b>				
<p><u>Lease Notice:</u> For non-WSA lands with wilderness characteristics, the BLM may apply a lease notice containing measures and limitations intended to maintain naturalness, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined recreation. Examples of the measures and limitations in the lease notices may include:</p> <ol style="list-style-type: none"> <li>1) Limiting motorized access to trails and unimproved, non-maintained routes only,</li> <li>2) Vegetative screening and contouring, and</li> <li>3) Additional siting considerations to minimize visual impacts.</li> </ol> <p><u>Area:</u> Non-WSA lands with wilderness characteristics</p>		X	X	X



## 6.0 Stipulation Crosswalk Table to Chapter 2 Records

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

RMPA Stipulation ID	Resource	Source
NSO-01	Water Resources	Table 2-2, Record 12, Alt. B
NSO-02	Landslide Areas	1997 WRFO RMP/ROD, NSO-01, page A-2 Table 2-2, Record 15, Alt. A and D
NSO-03	Landslide Areas	Table 2-2, Record 15, Alt. B
NSO-04	Landslide Areas	Table 2-2, Record 15, Alt. C
NSO-05	Saline Soils	Table 2-2, Record 16, Alt. B
NSO-06	Saline Soils	Table 2-2, Record 16, Alt. C
NSO-07	Steep Natural Slopes	Table 2-2, Record 17, Alt. B
NSO-08	Steep Natural Slopes	Table 2-2, Record 17, Alt. C and D
NSO-09	Priority Riparian/Wetland Habitats	Table 2-3, Record 20, Alt. B
NSO-10	Remnant Vegetation Associations and BLM Sensitive Plant Species	1997 WRFO RMP/ROD, NSO-09, page A-7 Table 2-3, Record 27, Alt. A; Table 2-10, Record 16, Alt. A
NSO-11	Remnant Vegetation Associations	Table 2-3, Record 27, Alt. B through D
NSO-12	Ponderosa Pine and Sagebrush RVAs	Table 2-3, Record 28, Alt. B through D
NSO-13	Oak Ridge SWA	1997 WRFO RMP/ROD, NSO-10, page A-7 Table 2-4, Record 16, Alt. A
NSO-14	State Wildlife Areas	Table 2-4, Record 16, Alt. B
NSO-15	State Wildlife Areas	Table 2-4, Record 16, Alt. C
NSO-16	Raptor Nests – Other Than Special Status Raptors	1997 WRFO RMP/ROD, NSO-03, page A-4 Table 2-5, Record 11, Alt. A and D
NSO-17	Northern Saw-Whet, Long-Eared, and Great-Horned Owl Nests	Table 2-5, Record 11, Alt. B
NSO-18	Cooper's, Sharp-Shinned, Red-Tailed, and Swainson's Hawks; Flammulated and Pygmy Owls; Northern Harrier; and Osprey Nests	Table 2-5, Record 11, Alt. B
NSO-19	Golden Eagle and Prairie Falcon Nests	Table 2-5, Record 11, Alt. B
NSO-20	Raptor Nests – Other Than Special Status Raptors	Table 2-5, Record 11, Alt. C
NSO-21	Sage-Grouse Habitat	Table 2-6, Record 17, Alt. B
NSO-22	Sage-Grouse Leks	1997 WRFO RMP/ROD, NSO-04, page A-5 Table 2-6, Record 18, Alt. A and D
NSO-23	Sage-Grouse Leks	Table 2-6, Record 18, Alt. B
NSO-24	Sharp-tailed Grouse Leks	Table 2-6, Record 21, Alt. B through D
NSO-25	Prairie Dog Colonies	Table 2-9, Record 15, Alt. B
NSO-26	Endangered Colorado River Fish	Table 2-9, Record 18, Alt. B

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

<b>RMPA Stipulation ID</b>	<b>Resource</b>	<b>Source</b>
NSO-27	Endangered Colorado River Fish	Table 2-9, Record 18, Alt. C and D
NSO-28	Special Status Raptor Nests	1997 WRFO RMP/ROD, NSO-02, page A-3 Table 2-9, Record 28, Alt. A
NSO-29	Bald Eagle, Ferruginous Hawk, Peregrine Falcon, and Northern Goshawk Nests	Table 2-9, Record 28, Alt. B
NSO-30	Burrowing Owl Nests	Table 2-9, Record 28, Alt. B
NSO-31	Special Status Raptor Nests	Table 2-9, Record 28, Alt. C
NSO-32	Special Status Raptor Nests	Table 2-9, Record 28, Alt. D
NSO-33	Abandoned Bald Eagle Nests	Table 2-9, Record 28, Alt. B
NSO-34	Abandoned Bald Eagle Nests	Table 2-9, Record 28, Alt. C
NSO-35	Bald Eagle Nocturnal Roosts & Concentration Areas	1997 WRFO RMP/ROD, NSO-05, page A-5 Table 2-9, Record 29, Alt. A and D
NSO-36	Bald Eagle Critical Night Roosts	Table 2-9, Record 29, Alt. B
NSO-37	Bald Eagle Critical Night Roosts	Table 2-9, Record 29, Alt. C
NSO-38	Federally Listed Plant Species	1997 WRFO RMP/ROD, NSO-08, page A-6 Table 2-10, Record 15, Alt. A
NSO-39	Federally Listed Plant Species	Table 2-10, Record 15, Alt. B
NSO-40	Federally Listed Plant Species	Table 2-10, Record 15, Alt. C
NSO-41	Federally Listed Plant Species	Table 2-10, Record 15, Alt. D
NSO-42	BLM Sensitive Plant Species	Table 2-10, Record 16, Alt. B
NSO-43	BLM Sensitive Plant Species	Table 2-10, Record 16, Alt. C
NSO-44	Duck Creek Wickiup Village	1997 WRFO RMP/ROD, NSO-07, page A-6 Table 2-12, Record 8, Alt. A
NSO-45	Duck Creek Wickiup Village	Table 2-12, Record 8, Alt. B through D
NSO-46	Mellen Hill	Table 2-12, Record 14, Alt. B through D
NSO-47	Douglas-fir and Aspen on Slopes	Table 2-15, Record 10, Alt. B
NSO-48	Douglas-fir and Aspen on Slopes	Table 2-15, Record 10, Alt. C
NSO-49	Old Growth	Table 2-15, Record 12, Alt. B
NSO-50	Oil Shale RD&D	Table 2-17, Record 21, Alt. B through D
NSO-51	Active Sodium Mining	Table 2-17, Record 22, Alt. B through D
NSO-52	Anderson Gulch, LO7 Hill, 3 Mile Gulch	Table 2-18, Record 5, Alt. B
NSO-53	Anderson Gulch, 3 Mile Gulch	Table 2-18, Record 5, Alt. D
NSO-54	ACECs	1997 WRFO RMP/ROD, NSO-06, page A-6 Table 2-21, Record 13, Alt. A
NSO-55	ACECs	Table 2-21, Record 13, Alt. B through D
NSO-56	Lands with Wilderness Characteristics	Table 2-22, Record 7, Alt. B
NSO-57	Source Water Protection for Public Water Supplies from Groundwater	Table 2-2, Record 23, Alt. B and C

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

<b>RMPA Stipulation ID</b>	<b>Resource</b>	<b>Source</b>
NSO-58	Protection for Impaired Waters in the Mesaverde Play Area	Table 2-2, Record 24, Alt. B and C
NSO-59	Thornburgh/Battle of Milk Creek Site	Table 2-12, Record 13, Alt. B
CSU-01	Fragile Soils	1997 WRFO RMP/ROD, CSO-01, page A-8 Table 2-2, Record 9, Alt. A and D
CSU-02	Water Resources	Table 2-2, Record 12, Alt. C and D
CSU-03	Saline Soils	Table 2-2, Record 16, Alt. D
CSU-04	Steep Natural Slopes	Table 2-2, Record 17, Alt. B
CSU-05	Steep Natural Slopes	Table 2-2, Record 17, Alt. C
CSU-06	Riparian/Wetland Habitats	Table 2-3, Record 20, Alt. C
CSU-07	Priority Riparian/Wetland Habitats	Table 2-3, Record 20, Alt. D
CSU-08	Greater Sage-Grouse Leks	Table 2-6, Record 18, Alt. C
CSU-09	Black-footed Ferret Management Areas	1997 WRFO RMP/ROD, CSU-3, page A-9 Table 2-9, Record 11, Alt. A and D
CSU-10	Black-footed Ferret Management Areas	Table 2-9, Record 11, Alt. C
CSU-11	Colorado River Cutthroat Trout Habitat	1997 WRFO RMP/ROD, CSU-6, page A-11 Table 2-9, Record 19 Alt. A
CSU-12	Colorado River Cutthroat Trout Habitat	Table 2-9, Record 19, Alt. B, C, and D
CSU-13	Colorado River Cutthroat Trout Habitat	Table 2-9, Record 20, Alt. B and C
CSU-14	Bald Eagle Nest, Roost, and Perch Habitat	1997 WRFO RMP/ROD, CSU-5, page A-10 Table 2-9, Record 26, Alt. A
CSU-15	Bald Eagle Nest, Roost, and Perch Habitat	Table 2-9, Record 26, Alt. B and C
CSU-16	BLM Sensitive Plant Species	Table 2-10, Record 16, Alt. D
CSU-17	Texas-Missouri-Evacuation Creek	Table 2-12, Record 7, Alt. A through D
CSU-18	Thornburgh/Battle of Milk Creek Viewshed	Table 2-12, Record 12, Alt. B through D
CSU-19	Rock Art and Standing Architecture	1997 WRFO RMP/ROD, CSU-7, page A-12 Table 2-12, Record 17, Alt. A
CSU-20	Rock Art and Standing Architecture	Table 2-12, Record 17, Alt. B
CSU-21	Rock Art and Standing Architecture	Table 2-12, Record 17, Alt. C
CSU-22	Rock Art and Standing Architecture	Table 2-12, Record 17, Alt. D
CSU-23	Protected Historic Properties and Resources	BLM Colorado State Lease Database Exhibit CO-39
CSU-24	Old Growth	Table 2-15, Record 12, Alt. C
CSU-25	Oil Shale	Table 2-17, Record 21, Alt. B
CSU-26	Oil Shale	Table 2-17, Record 21, Alt. C and D
CSU-27	Oil Shale	Table 2-17, Record 21, Alt. B through D

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

<b>RMPA Stipulation ID</b>	<b>Resource</b>	<b>Source</b>
CSU-28	Coal Mine	1997 WRFO RMP/ROD, CSU-8, page A-12 Table 2-17, Record 23, Alt. A
CSU-29	Coal Mine	Table 2-17, Record 23, Alt. B
CSU-30	Coal Mine	Table 2-17, Record 23, Alt. C and D
CSU-31	Anderson Gulch, LO7 Hill, 3 Mile Gulch	Table 2-18, Record 5, Alt. C
CSU-32	ACEC	Table 2-21, Record 14, Alt. A
CSU-33	ACEC	Table 2-21, Record 14, Alt. B through D
TL-01	Elk Production Areas	1997 WRFO RMP/ROD, TL-7, page A-19 Table 2-4, Record 12, Alt. A and D
TL-02	Big Game Severe Winter Range	1997 WRFO RMP/ROD, TL-8, page A-20 Table 2-4, Record 12, Alt. A and D
TL-03	Deer and Elk Summer Range	1997 WRFO RMP/ROD, TL-9, page A-21 Table 2-4, Record 12, Alt. A and D
TL-04	Pronghorn Production Areas	1997 WRFO RMP/ROD, TL-11, page A-21 Table 2-4, Record 12, Alt. A and D
TL-05	Big Game Severe Winter Range and Winter Concentration Areas	Table 2-4, Record 12, Alt. B
TL-06	Big Game Winter Range	Table 2-4, Record 12, Alt. B
TL-07	Big Game Summer Range	Table 2-4, Record 12, Alt. B
TL-08	Big Game Severe Winter Range and Winter Concentration Areas	Table 2-4, Record 12, Alt. C
TL-09	Big Game Winter Ranges	Table 2-4, Record 12, Alt. C
TL-10	Big Game Summer Range	Table 2-4, Record 12, Alt. C
TL-11	Raptor Nests (Other than Threatened, Endangered, or Candidate Species)	1997 WRFO RMP/ROD, TL-4, page A-16 Table 2-5, Record 11, Alt. A
TL-12	Nocturnal Raptor Nests (Owls Other than Burrowing Owls)	Table 2-5, Record 11, Alt. B
TL-13	Diurnal Raptor Nests (Including Burrowing Owls)	Table 2-5, Record 11, Alt. B
TL-14	Raptor Nests (Other than Special Status Species)	Table 2-5, Record 11, Alt. C
TL-15	Raptor Nests (Other than Threatened, Endangered, or Candidate Species)	Table 2-5, Record 11, Alt. D
TL-16	Sage-Grouse Winter Concentration Areas	1997 WRFO RMP/ROD, TL-10, page A-21 Table 2-6, Record 10, Alt. A
TL-17	Sage-Grouse Important Winter Use Areas	Table 2-6, Record 10, Alt. B
TL-18	Sage-Grouse Important Winter Use Areas	Table 2-6, Record 10, Alt. C
TL-19	Sage-Grouse Winter Concentration Areas	Table 2-6, Record 10, Alt. D
TL-20	Sage-Grouse Nesting Habitat	1997 WRFO RMP/ROD, TL-10, page A-21 Table 2-6, Record 10, Alt. A

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

<b>RMPA Stipulation ID</b>	<b>Resource</b>	<b>Source</b>
TL-21	Sage-Grouse Nesting Habitat	Table 2-6, Record 10, Alt. B Table 2-6, Record 16, Alt. B
TL-22	Sage-Grouse Nesting Habitat	Table 2-6, Record 10, Alt. C Table 2-6, Record 16, Alt. C
TL-23	Sage-Grouse Nesting Habitat	Table 2-6, Record 10, Alt. D
TL-24	Sharp-tailed Grouse Nesting Habitat	Table 2-6 Record 21, Alt B through D
TL-25	Migratory Birds	Table 2-7, Record 6, Alt. B
TL-26	Migratory Birds	Table 2-7, Record 6, Alt. C
TL-27	Special Status Raptor Nests (Except Bald Eagles and Ferruginous Hawks)	1997 WRFO RMP/ROD, TL-1, page A-13 Table 2-9, Record 30, Alt. A and D
TL-28	Bald Eagle Nests	1997 WRFO RMP/ROD, TL-2, page A-14 Table 2-9, Record 30, Alt. A and D
TL-29	Ferruginous Hawk Nests	1997 WRFO RMP/ROD, TL-3, page A-15 Table 2-9, Record 30, Alt. A, B, and D
TL-30	Bald Eagle Winter Roosts and Concentration Areas	1997 WRFO RMP/ROD, TL-5, page A-17 Table 2-9, Record 30, Alt. A and D
TL-31	Peregrine Falcon, Northern Goshawk, and Burrowing Owl Nests	Table 2-9, Record 30, Alt. B
TL-32	Bald Eagle Nests	Table 2-9, Record 30, Alt. B
TL-33	Bald Eagle Critical Night Roosts	Table 2-9, Record 30, Alt. B
TL-34	Bald Eagle Winter Hunting Perches	Table 2-9, Record 30, Alt. B
TL-35	Ferruginous Hawk Nests	Table 2-9, Record 30, Alt. B
TL-36	Special Status Raptor Nests (Except Bald Eagles)	Table 2-9, Record 30, Alt. C
TL-37	Bald Eagle Nests	Table 2-9, Record 30, Alt. C
TL-38	Bald Eagle Critical Night Roosts	Table 2-9, Record 30, Alt. C
TL-39	Bald Eagle Winter Hunting Perches	Table 2-9, Record 30, Alt. C
TL-40	Ferruginous Hawk Nests	Table 2-9, Record 30, Alt. C
TL-41	Canada Lynx	Table 2-9, Record 36, Alt. B
TL-42	Canada Lynx	Table 2-9, Record 36, Alt. C and D
LN-01	Designated Surface and Groundwater Source Water Protection Zones	Table 2-2, Record 11, Alt. B and C
LN-02	Produced Water	Table 2-2, Record 13, Alt. B Table 2-2, Record 22, Alt. B
LN-03	Produced Water	Table 2-2, Record 13, Alt. C Table 2-2, Record 22, Alt. C
LN-04	Produced Water	Table 2-2, Record 13, Alt. D Table 2-2, Record 22, Alt. D
LN-05	Sage-Grouse Habitat Features	Table 2-6, Record 11, Alt. B through D

**Table A-5. Stipulation Crosswalk to Chapter 2 Records**

<b>RMPA Stipulation ID</b>	<b>Resource</b>	<b>Source</b>
LN-06	Sage-Grouse Complex Key Habitat Areas	Table 2-6, Record 16, Alt. B and C
LN-07	Prairie Dog Towns	1997 WRFO RMP/ROD, LN-1, page A-22 Table 2-9, Record 15, Alt. A
LN-08	Prairie Dog Towns	Table 2-9, Record 15, Alt. C
LN-09	ESA Section 7 Consultation	BLM Colorado State Lease Database Exhibit CO-34
LN-10	Wild Horse Habitat	Table 2-11, Record 9, Alt. A through D
LN-11	Cultural Resources	Table 2-12, Record 17, Alt. B through D
LN-12	Paleontological Values	1997 WRFO RMP/ROD, LN-2, page A-22 Table 2-13, Record 5, Alt. A
LN-13	Paleontological Values	Table 2-13, Record 5, Alt. B through D
LN-14	Lands with Wilderness Characteristics	Table 2-22, Record 7, Alt. C and D